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INDEX AND SUMMARY OF H. R. 6374

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LEGISLATIVE HISTORY

Apr.	17, 1961	House passed H. R. 6374 with amendments. House Report No. 2641. Print of bill as introduced.
		Public Law 87-566 H. R. 6374
Aug.	20, 1961	House introduced H. R. 6374 as reported H. R. 6374.
Aug.	26, 1961	House Committee reported H. R. 6374 with amendments. H. Report No. 2641. Print of bill and report.
Aug.	21, 1961	House passed H. R. 6374 as reported.
Aug.	23, 1961	H. R. 6374 was referred to the Senate Civil Office and Civil Service Committee. House of bill as introduced.
July	6, 1961	Senate subcommittee approved H. R. 6374.
July	17, 1961	Senate committee reported H. R. 6374 without amendments. S. Report No. 1760. Print of bill and report.
July	20, 1961	Senate passed H. R. 6374 as reported.
July	23, 1961	Senate passed H. R. 6374 without amendments.
Aug.	2, 1961	Approved: Public Law 87-566.

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LEGISLATIVE HISTORY

H. R. 6374
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INDEX AND SUMMARY OF H. R. 6374

- Apr. 17, 1961 Rep. Murray introduced H. R. 6374 which was referred to the House Post Office and Civil Service Committee. Print of bill as introduced.
- Aug. 10, 1961 House subcommittee voted to report H. R. 6374.
- Aug. 16, 1961 House committee reported H. R. 6374 with amendments. H. Report No. 964. Print of bill and report.
- Aug. 21, 1961 House passed H. R. 6374 as reported.
- Aug. 22, 1961 H. R. 6374 was referred to the Senate Post Office and Civil Service Committee. Print of bill as introduced.
- July 6, 1962 Senate subcommittee approved H. R. 6374.
- July 17, 1962 Senate committee reported H. R. 6374 without amendment. S. Report No. 1740. Print of bill and report.
- July 20, 1962 Senate made H. R. 6374 its unfinished business.
- July 23, 1962 Senate passed H. R. 6374 without amendment.
- Aug. 2, 1962 Approved: Public Law 87-566.

INDEX AND SUMMARY OF H. R. 6374

Apr.	17, 1961	Rep. Murray introduced H. R. 6374 which was referred to the House Post Office and Civil Service Committee. Print of bill as introduced.
Aug.	10, 1961	House Subcommittee voted to report H. R. 6374.
Aug.	16, 1961	House committee reported H. R. 6374 with amendments. H. Report No. 904. Print of bill and report.
Aug.	21, 1961	House passed H. R. 6374 as reported.
Aug.	22, 1961	H. R. 6374 was referred to the Senate Post Office and Civil Service Committee. Print of bill as introduced.
July	6, 1962	Senate Subcommittee approved H. R. 6374.
July	17, 1962	Senate committee reported H. R. 6374 without amendment. S. Report No. 1760. Print of bill and report.
July	20, 1962	Senate made H. R. 6374 its unfinished business.
July	23, 1962	Senate passed H. R. 6374 without amendment.
Aug.	2, 1962	Approved: Public Law 87-566.

DIGEST OF PUBLIC LAW 87-566

GOVERNMENT EMPLOYEES TRAINING ACT AMENDMENT. Amends the Government Employees Training Act so as to provide that appropriated funds may be used to pay expenses for Foreign Service employees and Presidential appointees for attendance at meetings concerned with functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

CLARIFYING OF GOVERNMENT EMPLOYEES TRAINING ACT

U. S. DEPARTMENT OF AGRICULTURE
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HEARING BEFORE THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE HOUSE OF REPRESENTATIVES EIGHTY-SEVENTH CONGRESS FIRST SESSION ON

H.R. 6374 and H.R. 6401

BILLS TO CLARIFY THE APPLICATION OF THE GOVERN-
MENT EMPLOYEES TRAINING ACT WITH RESPECT TO
PAYMENT OF EXPENSES OF ATTENDANCE OF GOVERN-
MENT EMPLOYEES AT CERTAIN MEETINGS, AND FOR
OTHER PURPOSES

AUGUST 10, 1961

Printed for the use of the
Committee on Post Office and Civil Service



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CLARIFYING OF GOVERNMENT EMPLOYEES TRAINING ACT

THURSDAY, AUGUST 10, 1961

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON
POST OFFICE AND CIVIL SERVICE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m., room 215, House Office Building, Hon. Richard Ichord (chairman of the subcommittee) presiding.

Mr. ICHORD. The committee will come to order.
(The bill, H.R. 6374, follows:)

[H.R. 6374, 87th Cong., 1st sess.]

A BILL To clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 4 of the Government Employees Training Act, as amended (5 U.S.C. 2303(a)), is amended to read as follows:

“(a) (1) This Act shall not apply to—

“(A) the President or Vice President of the United States,

“(B) any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests, and

“(C) any individual (except an officer of the Coast and Geodetic Survey in the Department of Commerce) who is a member of the uniformed services as defined in section 102(a) of the Career Compensation Act of 1949, as amended, during any period in which he is receiving compensation under title II of such Act.

“(2) Except for the purposes of subsection (b) of section 19 of this Act and that part of subsection (a) of such section which relates to payment of travel, subsistence, and other expenses incident to attendance at meetings, this Act shall not apply to—

“(A) the Foreign Service of the United States under the Department of State,

“(B) the Tennessee Valley Authority, and

“(C) any individual appointed by the President by and with the advice and consent of the Senate (other than a postmaster) or by the President alone, unless such individual is specifically designated by the President for training under this Act.”.

Mr. ICHORD. This subcommittee, consisting of Mr. Hagan, Mrs. Norrell, Mrs. St. George, Mr. Derwinski, and myself as chairman, was appointed to consider H.R. 6374 and H.R. 6401, identical bills by Chairman Murray and Mr. Corbett, bills to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

The bills were introduced pursuant to an official recommendation of the administration submitted by the U.S. Civil Service Commission on April 7, 1961.

In summary, the purpose of this legislation is to correct an inadvertent oversight in the language of the Government Employees Training Act, Public Law 85-507, as amended.

From a review of the legislative history of Public Law 85-507 it is evident that the circumstances which make the present bills necessary were not considered at the time and that, had the committee been aware of such circumstances, the language now proposed would have been incorporated in the law.

As I reconstruct the situation, the Government Employees Training Act represents the culmination of several years of study and development work by this committee and representatives of the Civil Service Service Commission, the Bureau of the Budget, and the General Accounting Office—including consideration of special problems of other agencies.

The House Post Office and Civil Service Committee in the spring of 1958 scheduled hearings on H.R. 6001 and related bills, with primary emphasis on H.R. 6001 which represented the current thinking of the committee membership on the subject of legislation to provide a modern and effective program to train Federal employees for the more efficient performance of their public duties. The bill, therefore, dealt solely with the establishment of such a training program.

In the drafting of the bill, the committee also recognized that certain exclusions would be necessary because of security and other considerations affecting several agencies and several types of Federal officers and employees. These exclusions are spelled out in section 4 of Public Law 85-507. It is to be observed that these exclusions, and the necessity therefor, relate solely to the language of the law establishing the Government employees training program.

During the committee deliberations on the bill the Bureau of the Budget with the support of the Civil Service Commission and the General Accounting Office, proposed an amendment to the legislation which, although related in principle to training and development of Federal employees to better perform their duties, was not in fact an integral part of the training program itself.

H.R. 6374 and H.R. 6401 deal with that part of such proposed amendment which makes appropriations of departments and agencies "available for travel and subsistence expenses of authorized attendance at meetings concerned with the functions for which the appropriations are made"—as stated at page 6 of the committee report accompanying the bill that became Public Law 85-507. The purpose and intent of this authorization, now contained in section 19(b) of Public Law 507, was that it be applicable to all departments and agencies but, in approving the amendment, the exclusions in section 4 of the law were overlooked. Had the amendment now in section 19(b) been developed concurrently with the remaining provisions of that act, rather than as an amendment presented to the committee at a later point in time, the oversight undoubtedly would not have occurred.

The legislation now before the subcommittee will correct this inadvertent conflict of intent between sections 4 and 19(b) of the Training Act and clarify the legal basis for the use of appropriated funds by all departments and agencies, under uniform standards prescribed by the President, for authorized attendance of employees at meetings concerned with the functions for which the appropriations are made.

As a matter of convenient reference, I believe it is appropriate also to direct attention to the testimony presented by representatives of the Bureau of the Budget, the Civil Service Commission, and the General Accounting Office during the hearings on the bill that became Public Law 85-507. The amendment now contained in section 19(b) of the act was first presented by the Bureau of the Budget, and statements relating thereto appear at pages 76, 77, 99, and 110 of the printed hearings. It is clear from these statements that the exclusions in section 4 of the act were not intended to apply to section 19(b).

Our witness this morning on H.R. 6374 and H.R. 6401 is Mr. O. Glenn Stahl, Director, Bureau of Programs and Standards, U.S. Civil Service Commission. Mr. Stahl.

STATEMENT OF O. GLENN STAHL, DIRECTOR, BUREAU OF PROGRAMS AND STANDARDS, U.S. CIVIL SERVICE COMMISSION

Mr. STAHL. Thank you, Mr. Chairman.

May I first of all ask that you place in the record the letter from Chairman Macy of the Civil Service Commission, dated April 7, 1961, to which you referred, addressed to Speaker Rayburn of the House of Representatives?

Mr. ICHORD. Without objection, it will be done.

(The letter follows:)

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., April 7, 1961.

Hon. SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: We are submitting for the consideration of the Congress proposed legislation which would further amend the Government Employees Training Act, Public Law 85-507, as amended. The amendment would insure that authority exists for the payment from available appropriations of expenses of attendance at certain meetings by Foreign Service employees, Tennessee Valley Authority employees, and Presidential appointees. These are meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

Section 19(b) of the Government Employees Training Act provided that any appropriation available to any department for expenses of travel should be available for expenses of attendance at the above types of meetings and ostensibly provides all necessary authority for incurring such expenses. However, because of the exclusions from the coverage of the act as specified in section 4, it is doubtful whether such authority exists with respect to these named classes of individuals. Therefore, at the present time, there is no clear legal basis for the specified individuals to attend such meetings at Government expense.

The proposed bill is perfecting legislation intended to amend section 4 of Public Law 85-507. Enactment of this legislation will provide for the payment of the above-described expenses from appropriated funds. The Civil Service Commission strongly urges its early and favorable consideration.

The Bureau of the Budget advises that from the standpoint of the administration's program, there would be no objection to the submission of this draft bill to the Congress.

Sincerely yours,

By direction of the Commission:

JOHN W. MACY, Jr., *Chairman.*

Mr. STAHL. H.R. 6374 is, as you have indicated in your introductory remarks, designed to perfect the Training Act so as not to inadvertently omit several groups of Federal employees from authorization to attend meetings of a professional type.

I might point out, as you have already clarified, that this probably would not have occurred had the provisions in section 19 not been added in the process in the course of consideration of the legislation. The only anomaly we have now is that the members of the Foreign Service, the employees of the Tennessee Valley Authority, and Presidential appointees because they are exempt from the provisions of the act as a whole are also exempt from the authority authorized in section 19 for attendance at meetings, when it had been intended that they simply be exempted from the other training limitations and restrictions in the act since TVA and the Foreign Service had their own laws governing training.

We suggested then that this bill be designed only to make it clear that they were not exempted from section 19(b).

Your very able and careful staff, however, pointed out that if this is true of section 19(b) which relates purely to the payment of travel and expenses for attendance at meetings, then presumably the same consideration would apply to section 19(a). Section 19(a) reads in this manner:

* * * to the extent authorized by regulation of the President, contributions and awards incident to training in non-Government facilities may be made to and accepted by employees and payment of travel, subsistence, and other expenses incident to attendance at meetings may be made to and accepted by employees without regard to the provisions of section 1914, title 18 of the United States Code * * *

and so on.

In an inquiry made to the Civil Service Commission, we responded affirmatively, indicating that there was no objection on the part of the Civil Service Commission to including in H.R. 6374 the provision that these three groups of employees not be exempted from section 19(a) as well as from section 19(b).

In the language of the bill, however, as now designed, if you will look on page 2 of the bill, section 2, it says:

Except for the purposes of subsection (b)—
on which there is no question—

of section 19 of this Act and that part of subsection (a) of such section which relates to payment of travel, subsistence, and other expenses incident to attendance at meetings this Act shall not apply to * * *.

On considering the suggestion of members of the committee staff, we felt that it would be just as well to have this read, "except for purposes of subsection (a) and (b) this Act shall not apply to—".

In other words, we see no reason to say in effect that a member of the Foreign Service or an employee of TVA could have his travel paid to accept an award but he could not accept the award. This was another minor point. The problem has not arisen and this is why we had not pressed the point. There has not been a case to our knowledge where anyone has received an award and had to travel to accept or receive it, so that no problem has arisen in this connection at all.

However, we would not for the future want to preclude the possibility that employees of the TVA, the Foreign Service, and Presidential appointees might not be treated the same way as any other employee.

It occurs to us that we could make the amendment even simpler than the present bill by saying under section 2:

Except for the purposes of subsection (a) and (b) of section 19 of this Act, this Act shall not apply to the Foreign Service, TVA * * *.

and so on.

That concludes my introductory comments that I might make and if I can be helpful in answering any questions, I will be glad to respond.

Mr. ICHORD. Are there any questions of Mr. Stahl?

Mrs. ST. GEORGE. I presume you would want an amendment to make that one slight correction; is that correct?

Mr. STAHL. Yes.

Mrs. ST. GEORGE. In other words, you would like the amendment to read: "Except for the purposes of subsection (a) and (b) of section 19"?

Mr. STAHL. Yes.

Mrs. ST. GEORGE. Is that correct?

Mr. STAHL. Yes, that is correct.

Mrs. ST. GEORGE. If it is in order, I would like to so move.

Mr. ICHORD. Mr. Stahl, does the bill accomplish anything other than permitting the employees of the excluded departments to receive travel and subsistence pay for attending meetings in connection with functions for which the appropriation was made? Does the bill have any other purpose?

Mr. STAHL. No, sir. It simply is designed to bring those people, those employees, abreast of all other employees, because it was overlooked that the general exclusions of those agencies from the act automatically excluded them from these particular provisions. It has no other purpose, to my knowledge, and I know of no other effect.

Mr. ICHORD. Are your postmasters now under the Government Employees Training Act?

Mr. STAHL. Yes, because by another amendment to the act earlier—I guess that this was about a year or two ago and I forget the exact time—in the 86th Congress we did put in a parenthetical statement under (c) that you see at the conclusion of this bill. That is reiterated in this bill. This is the way it now exists in the act.

Any individual appointed by the President, by and with the advice of the Senate, other than a postmaster is, in other words, exempt.

Mr. ICHORD. When was that amendment?

Mr. STAHL. In the 86th Congress, May 26, 1959, Public Law 86-33.

This was another inadvertence. When Presidential appointees were exempted, it was overlooked that postmasters were Presidential appointees and by putting the parenthetical clause in there "other than a postmaster" it made it clear that postmasters could be sent for training.

Mr. ICHORD. Thank you very much.

Do you have any questions, Mr. Derwinski?

Mr. DERWINSKI. Just one comment. It is my understanding that this bill is merely a technical improvement made necessary and the only request I would have is that our committee report show that we have no intention of creating something which might be called a loophole, or which might be abused in the future.

Mr. ICHORD. Thank you very much, Mr. Stahl.

Mr. STAHL. Thank you.

Mr. ICHORD. We will now go into executive session.

(Whereupon, at 10:20 a.m., Thursday, August 10, 1961, the subcommittee went into executive session.)

87TH CONGRESS
1ST SESSION

H. R. 6374

IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 1961

Mr. MURRAY introduced the following bill; which was referred to the Committee on Post Office and Civil Service

A BILL

To clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (a) of section 4 of the Government Em-
4 ployees Training Act, as amended (5 U.S.C. 2303 (a)),
5 is amended to read as follows:

6 “(a) (1) This Act shall not apply to—

7 “(A) the President or Vice President of the United
8 States,

9 “(B) any corporation under the supervision of the

1 Farm Credit Administration of which corporation any
2 member of the board of directors is elected or appointed
3 by private interests, and

4 “(C) any individual (except an officer of the
5 Coast and Geodetic Survey in the Department of Com-
6 merce) who is a member of the uniformed services as
7 defined in section 102 (a) of the Career Compensation
8 Act of 1949, as amended, during any period in which
9 he is receiving compensation under title II of such Act.

10 “(2) Except for the purposes of subsection (b) of
11 section 19 of this Act and that part of subsection (a) of
12 such section which relates to payment of travel, subsistence,
13 and other expenses incident to attendance at meetings, this
14 Act shall not apply to—

15 “(A) the Foreign Service of the United States
16 under the Department of State,

17 “(B) the Tennessee Valley Authority, and

18 “(C) any individual appointed by the President by
19 and with the advice and consent of the Senate (other
20 than a postmaster) or by the President alone, unless
21 such individual is specifically designated by the
22 President for training under this Act.”

A BILL

To clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

By Mr. MURRAY

APRIL 17, 1961

Referred to the Committee on Post Office and Civil Service

Aug. 10, 1961

14. SUGAR. Rep. Langen stated there is a need for sugar legislation in this session of Congress, saying, "The Secretary of Agriculture says it is reasonable to expect that the recommendations made in 1962 will favor an expansion of beet sugar acreage. If it is reasonable in 1962, it should be reasonable right now." pp. 14324-5
15. SURPLUS FOODS. The Agriculture Committee reported without amendment S. 1873, to permit CCC commodities donated for use in home economics courses to also be used for training college students if the same facilities and instructors are used for training both high school and college students in home economics courses (H. Rept. 881). p. 14331
16. ASSISTANT SECRETARIES. The Interstate and Foreign Commerce Committee reported without amendment H. R. 6360, to authorize an additional Assistant Secretary of Commerce (H. Rept. 885). p. 14331
17. PUBLIC LANDS. The Agriculture Committee reported without amendment H. R. 3879, to authorize the Secretary of Agriculture to convey to Wyoming for agricultural purposes the SCS Farson Pilot Farm land in Sweetwater County, Wyo. (H. Rept. 883); H. R. 4821, to authorize the Secretary of Agriculture to convey a parcel of forest land to the town of Tellico Plains, Tenn. (H. Rept. 884); H. R. 6193, to authorize the Secretary of Agriculture to convey a tract of forest land in Wyoming to Fremont County. (H. Rept. 887); H. R. 3920, to authorize an exchange of land at the Agricultural Research Center (H. Rept. 897; and (with amendment) H. R. 4939, to provide for the conveyance by the Farmers Home Administration of all right, title, and interest of the U. S. in a certain tract of land in Jasper County, Ga., to the Jasper County Board of Education (H. Rept. 886). p. 14331
18. MANPOWER. The Education and Labor Committee reported without amendment H. R. 8399, relating to the occupational training, development, and use of the manpower resources of the Nation (H. Rept. 879). p. 14331
19. FOREIGN AID. The Rules Committee reported a resolution for the consideration of H. R. 8400, the foreign aid authorization bill. p. 14331
20. LANDS; EASEMENTS. The Subcommittee on Public Buildings and Grounds of the Public Works Committee voted to report to the full committee H. R. 8355, to authorize executive agencies to grant easements in, over, or upon real property of the U. S. under the control of such agencies. p. D693
21. REIMBURSEMENTS. The Subcommittee on Public Buildings and Grounds of the Public Works Committee voted to report to the full committee H. R. 8356, to authorize reimbursement to owners and tenants of certain lands or interest therein acquired by the U. S. for certain moving expenses and losses and damages. p. D693
22. PERSONNEL. The Subcommittee of the Post Office and Civil Service Committee voted to report to the full committee with amendments H. R. 6374, to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings. p. D692
23. POWER TRANSMISSION. Rep. Aspinall urged the enactment of legislation for Federal transmission of power on the Colorado River storage project. pp. 14291-2

24. LEGISLATIVE PROGRAM. Rep. McCormack announced that H. R. 8400, the foreign aid bill, will be taken up Mon., and debate will continue throughout the week until this bill is disposed of. p. 14276
25. ADJOURNED until Mon., Aug. 14. pp. 14330-1

ITEMS IN APPENDIX

26. FOOD. Extension of remarks of Sen. Humphrey inserting an article, "Agriculture Studies Reds' Food Shortage." pp. A6239-40
27. FOREIGN AID. Extension of remarks of Rep. Harvey inserting an article discussing a report on the "almost total failure of the foreign aid program in Peru." pp. A6243-4
Extension of remarks of Rep. Pelly inserting Rep. Ford's letter to the editor of the N. Y. Times discussing certain alleged statements made by Theodore Tennenwald, Special Asst. to the Secretary of State, regarding the proposed foreign aid program. pp. A6278-9
28. FARM PROGRAM. Extension of remarks of Rep. Harvey inserting an article, "Cadillac For Every Farm." pp. A6259-60
29. NATURAL RESOURCES; URBAN AFFAIRS. Extension of remarks of Rep. Mathias stating that "it is increasingly apparent that we must coordinate our efforts in the field of city planning, agriculture, natural resources, recreation, wildlife preservation, and sheer living and breathing space," and inserting an article, "U. S. Croplands Found Shrinking -- Million Acres Lost Yearly To Growth of Suburbs." p. A6268
30. ELECTRIFICATION; COOPERATIVES. Extension of remarks of Rep. Dent inserting REA Administrator Norman Clapp's address before the Northwestern Rural Electric Cooperative Association. pp. A6269-71
31. FOREIGN TRADE. Extension of remarks of Rep. Dent discussing the effects of foreign-made consumer goods on American business and workers. pp. A6280-1

BILLS INTRODUCED

32. PERSONNEL. H. R. 8648, by Rep. Corbett, to permit certain Government employees to elect to receive compensation in accordance with section 401 of the Federal Employees Pay Act of 1945 in lieu of certain compensation at a saved rate; to Post Office and Civil Service Committee.
H. R. 8649, by Rep. Corbett, to amend the Federal Employees' Group Life Insurance Act of 1954 to provide for escheat of amounts of insurance to the insurance fund under such Act in the absence of any claim for payment; to Post Office and Civil Service Committee.
H. R. 8656, by Rep. Pillion, to reduce nondefense personnel by 10 percent; to Post Office and Civil Service Committee.
33. EXPENDITURES. H. R. 8634, by Rep. Glenn, to help maintain the financial solvency of the Federal Government by reducing nonessential expenditures through reduction in personnel in various agencies of the Federal Government by attrition; to Post Office and Civil Service Committee.
34. FARM PROGRAM. H. R. 8638, by Rep. Ikard, Tex., "to amend the Agricultural Act of 1949"; to Agriculture Committee.

Aug. 16, 1961

2. PERSONNEL. The Post Office and Civil Service Committee reported with amendments H. R. 6374, to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings (H. Rept. 964). p. 15016

The Post Office and Civil Service Committee reported with amendment S. 739, to modify the method of computing interest earnings of special Treasury issues held by the civil service retirement and disability fund and to provide for permanent indefinite appropriations for the fund. The bill was amended to include the language of H. R. 3059, to accord employees of ASC County Offices and Federal employees with past service in the County Offices the same rights with respect to credit for such past service as Federal employees presently have with respect to past service in the Federal service, for which deductions have not been made, to make creditable any such service earned from May 12, 1933, and to remove the present requirement, contained in the Pay Act of 1960, that ASC County Office employees with past service purchase credit for such service within a two-year period from July 10, 1960 (H. Rept. 961). p. 15016

3. INFORMATION; BIDS. The Government Operations Committee voted to report with amendments (but did not actually report) H. R. 8603, to provide for public information and publicity concerning instances where competitors submit identical bids to public agencies for the sale or purchase of supplies, equipment, or services. pp. D718-9

4. WATERSHEDS. The Subcommittee on Watershed Development of the Public Works Committee voted to report to the full committee H. R. 3801, to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention. p. D720

ITEMS IN APPENDIX

5. FOREIGN AID. Extension of remarks of Rep. Hansen inserting two articles, "Foreign Aid Costly but We Need It" and "Every Objection to Foreign Aid Can Be Answered." p. A6412
6. PEACE CORPS. Extension of remarks of Rep. Church inserting an article, "The Peace Corps -- Shaping a World Revolution." pp. A6411-2
7. FARM LABOR. Extension of remarks of Rep. Westland inserting an article, "Virginia Farmers Prefer Convicts," that "Tells how convicts must be used to harvest crops because unemployed refuse to do farmwork." pp. A6427-8
8. USDA EMPLOYMENT. Extension of remarks of Rep. Cooley inserting a table showing a breakdown of employment by this Department. pp. A6416-8

BILLS INTRODUCED

19. EDUCATION. H. R. 8732, by Rep. Bailey, to promote the security and welfare of the people of the United States by providing for a program to assist the several States in further developing their programs of general university extension education; to Education and Labor Committee.
- H. R. 8748, by Rep. Kearns, to extend for 2 additional years Public Laws 815 and 874, 81st Congress, and the National Defense Education Act of 1958; to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities; to Education and Labor Committee.

20. COTTON. H. R. 8740, by Rep. Gathings, to provide that imports of cotton products produced in any stage preceding the spinning into yarn shall be charged against the applicable import quota under section 22 of the Agricultural Adjustment Act, as amended; to Ways and Means Committee.
21. PERSONNEL. H. R. 8742, by Rep. Mathias, to modernize certain provisions of the Civil Service Retirement Act relating to immediate retirement; to Post Office and Civil Service Committee. Remarks of author. p. 15014
22. FOREIGN TRADE. H. Con. Res. 373, by Rep. Becker, and H. Con. Res. 374, by Rep. Blitch, declaring the sense of the Congress that no further reductions in tariffs be made during the life of the present Reciprocal Trade Agreements Act; to Ways and Means Committee.
23. PERSONNEL. H. R. 8601, by Rep. McCormack, to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to provide that under certain conditions officers of the executive branch of the Federal Government appointed by the President shall be exempt from such Act; to District of Columbia Committee. (Introduced Aug. 9, 1961)

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COMMITTEE HEARINGS ANNOUNCEMENTS:

Aug. 17: Small business problems in poultry industry, H. Small Business.
Supplemental appropriations, H. Appropriations (exec).

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PAYMENT OF EXPENSES OF ATTENDANCE OF GOVERNMENT EMPLOYEES AT CERTAIN MEETINGS

AUGUST 16, 1961.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. ICHORD of Missouri, from the Committee on Post Office and Civil Service, submitted the following

R E P O R T

[To accompany H.R. 6374]

The Committee on Post Office and Civil Service, to whom was referred the bill (H.R. 6374) to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 2, line 6, strike out "and".

Page 2, immediately following line 6, insert the following:

(C) the Tennessee Valley Authority, and

Page 2, line 8, strike out "(C)" and insert in lieu thereof "(D)".

Page 2, strike out lines 14 to 17, inclusive, and insert in lieu thereof the following:

(2) Except for the purposes of subsections (a), (b), and

(c) of section 19 of this Act, this

Page 2, line 22, after the comma insert "and".

Page 2, line 23, strike out

(B) the Tennessee Valley Authority, and

Page 2, line 24, strike out "(C)" and insert in lieu thereof "(B)".

EXPLANATION OF AMENDMENTS

All of the amendments except the fourth amendment (which is shown in linetype and italics in line 14 through the word "this" in line 19 on page 2 of the reported bill) taken together have the effect

of excluding the Tennessee Valley Authority from the application of the bill.

The fourth amendment corrects an oversight in the official recommendation for enactment of this legislation submitted by the U.S. Civil Service Commission. Such official recommendation would have amended section 4(a) of the Government Employees Training Act, as amended (5 U.S.C. 2303(a)), so as to make a part of subsection (a) and all of subsection (b) of section 19 of such act applicable to the agencies and classes of persons now excluded from such act in its entirety by such section 4(a). The committee deliberations on this legislation disclosed that it is desirable to bring the agencies and classes of persons now excluded from the Government Employees Training Act by section 4(a) of such act (other than the Tennessee Valley Authority) within all of the provisions of subsections (a), (b), and (c) of section 19 of such act. The U.S. Civil Service Commission has officially reported its concurrence in this view.

PURPOSE

The purpose of H.R. 6374 is to correct an inadvertent oversight in the Government Employees Training Act (Public Law 85-507; 5 U.S.C. 2301 et seq.) as a result of which the authority provided by section 19 of such act for authorized attendance of Government employees at meetings has not been carried out fully in accordance with the intent of such section 19.

STATEMENT

This legislation, which is based on an official recommendation of the U.S. Civil Service Commission, clarifies the intent that the authority provided by subsections (a), (b), and (c) of section 19 of the Government Employees Training Act shall be applicable to Government departments and agencies in general, including those agencies and classes of personnel (other than the Tennessee Valley Authority) which are excluded from the other sections of the act by specific reference in section 4(a) of the act. As the law now stands, question has arisen, because of apparent inconsistencies between section 4(a) and section 19 of the act, as to the legal authority for attendance at meetings, under section 19 of the act, of certain of the agencies and of the classes of persons specified in section 4 of the act. It is apparent from the legislative history of the act that the existence of such inconsistencies and possible legal interpretations thereof were not considered when the act was approved.

The House Post Office and Civil Service Committee in early 1958 held hearings on H.R. 6001, 85th Congress, which had been developed through committee studies and represented the consensus of thinking as the best approach to providing an effective employee training program. H.R. 6001 dealt solely with the establishment of such a training program until the hearings were nearly completed.

The committee in writing that bill also recognized the necessity to exclude certain agencies and employees from the training provisions and the exclusions were spelled out in section 4 of H.R. 6001, later enacted as section 4 of the Government Employees Training Act.

During the committee deliberations the Bureau of the Budget, the Civil Service Commission, and the General Accounting Office sup-

ported an amendment which, although related to training, was separate from the training program itself. That amendment now is section 19 of the Government Employees Training Act. H.R. 6374 deals with subsections (a), (b), and (c) of section 19.

Subsection (a) of section 19 authorizes employees sent for training in non-Government facilities to accept awards and payment of expenses incident to attendance at meetings related to the training, subject to certain prescribed conditions. Subsection (b) authorizes use of appropriated moneys for expenses of authorized attendance of employees at meetings concerned with the functions for which the appropriations are made. Subsection (c) provides that any expense payments received by an employee from non-Government sources under subsection (a) will reduce the amount of expenses for the same purpose otherwise payable by the Government.

It was intended, when the Government Employees Training Act was enacted, that those parts of section 19 apply to all departments and agencies which needed them. However, the possible adverse legal effect of the exclusions in section 4 (which were first written to apply to sections other than section 19) was overlooked. As a result, the application of subsections (a), (b), and (c) of section 19 to certain agencies and classes of employees is not now clear. H.R. 6374 will clarify the applicability of these subsections to such agencies and classes of employees, in conformity with the original intent.

The committee amendments which continue the present exclusion of the Tennessee Valley Authority from all parts of the Training Act (including sec. 19) are deemed appropriate since Tennessee Valley Authority does not need and does not desire to come under section 19, but this apparently was overlooked when the legislative proposal was presented by the U.S. Civil Service Commission.

COST

The enactment of this legislation will not result in any increase in budgeted expenditures of the departments and agencies concerned, since the authority for payment of expenses of attendance at meetings which is clarified by the bill represents a replacement of similar authorizations previously carried in appropriations which no longer are necessary because of enactment of the Government Employees Training Act.

ADMINISTRATIVE RECOMMENDATION

The official recommendation of the U.S. Civil Service Commission for enactment of this legislation follows:

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., April 17, 1961.

HON. SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: We are submitting for the consideration of the Congress proposed legislation which would further amend the Government Employees Training Act, Public Law 85-507, as amended. The amendment would insure that authority exists for the payment from available appropriations of expenses of attendance at certain meetings by Foreign Service employees, Tennessee Valley Authority employees, and Presidential appointees. These are meet-

ings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

Section 19(b) of the Government Employees Training Act provided that any appropriation available to any department for expenses of travel should be available for expenses of attendance at the above types of meetings and ostensibly provides all necessary authority for incurring such expenses. However, because of the exclusions from the coverage of the act as specified in section 4, it is doubtful whether such authority exists with respect to these named classes of individuals. Therefore, at the present time, there is no clear legal basis for the specified individuals to attend such meetings at Government expense.

The proposed bill is perfecting legislation intended to amend section 4 of Public Law 85-507. Enactment of this legislation will provide for the payment of the above-described expenses from appropriated funds. The Civil Service Commission strongly urges its early and favorable consideration.

The Bureau of the Budget advises that from the standpoint of the administration's program, there would be no objection to the submission of this draft bill to the Congress.

By direction of the Commission:

Sincerely yours,

JOHN W. MACY, Jr.,
Chairman.

CHANGES IN EXISTING LAW PROPOSED BY THE INTRODUCED BILL

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

SECTION 4(a) OF THE GOVERNMENT EMPLOYEES TRAINING ACT (5 U.S.C. 2303(a))

EXCLUSION

Sec. 4. (a) (1) This Act shall not apply to—

[(1)](A) the President or Vice President of the United States,

[(2)] the Foreign Service of the United States under the Department of State,]

[(3)](B) any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests, *and*

[(4)] the Tennessee Valley Authority,

[(5)] any individual appointed by the President by and with the advice and consent of the Senate (other than a postmaster) or by the President alone, unless such individual is specifically designated by the President for training under this Act, *and*]

[(6)](C) any individual (except an officer of the Coast and Geodetic Survey in the Department of Commerce) who is a member of the uniformed services as defined in section 102(a) of the Career Compensation Act of 1949, as amended, during any period in which he is receiving compensation under title II of such Act.

(2) *Except for the purposes of subsection (b) of section 19 of this Act and that part of subsection (a) of such section which relates to payment of travel, subsistence, and other expenses incident to attendance at meetings, this Act shall not apply to—*

(A) *the Foreign Service of the United States under the Department of State,*

(B) *the Tennessee Valley Authority, and*

(C) *any individual appointed by the President by and with the advice and consent of the Senate (other than a postmaster) or by the President alone, unless such individual is specifically designated by the President for training under this Act.*

CHANGES IN EXISTING LAW PROPOSED BY THE REPORTED BILL

For the information of the Members of the House, changes in existing law proposed to be made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 4(a) OF THE GOVERNMENT EMPLOYEES TRAINING ACT (5 U.S.C. 2303(a))

EXCLUSION

Sec. 4. (a) (1) This Act shall not apply to—

[(1)] (A) the President or Vice President of the United States,

[(2)] the Foreign Service of the United States under the Department of State,]

[(3)] (B) any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests,

[(4)] (C) the Tennessee Valley Authority, and

[(5)] any individual appointed by the President by and with the advice and consent of the Senate (other than a postmaster) or by the President alone, unless such individual is specifically designated by the President for training under this Act, and]

[(6)] (D) any individual (except an officer of the Coast and Geodetic Survey in the Department of Commerce) who is a member of the uniformed services as defined in section 102(a) of the Career Compensation Act of 1949, as amended, during any period in which he is receiving compensation under title II of such Act.

(2) *Except for the purposes of subsections (a), (b), and (c) of section 19 of this Act, this Act shall not apply to—*

(A) *the Foreign Service of the United States under the Department of State, and*

(B) *any individual appointed by the President by and with the advice and consent of the Senate (other than a postmaster) or by the President alone, unless such individual is specifically designated by the President for training under this Act.*

H. R. 6374

[Report No. 964]

IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 1961

Mr. MURRAY introduced the following bill; which was referred to the Committee on Post Office and Civil Service

AUGUST 16, 1961

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (a) of section 4 of the Government Em-
4 ployees Training Act, as amended (5 U.S.C. 2303 (a)),
5 is amended to read as follows:

6 “(a) (1) This Act shall not apply to—

7 “(A) the President or Vice President of the United
8 States,

9 “(B) any corporation under the supervision of the

1 Farm Credit Administration of which corporation any
2 member of the board of directors is elected or appointed
3 by private interests, ~~and~~

4 “(C) *the Tennessee Valley Authority, and*

5 ~~“(C) (D)~~ any individual (except an officer of the
6 Coast and Geodetic Survey in the Department of Com-
7 merce) who is a member of the uniformed services as
8 defined in section 102 (a) of the Career Compensation
9 Act of 1949, as amended, during any period in which
10 he is receiving compensation under title II of such Act.

11 ~~“(2) Except for the purposes of subsection (b) of~~
12 ~~section 19 of this Act and that part of subsection (a) of~~
13 ~~such section which relates to payment of travel, subsistence,~~
14 ~~and other expenses incident to attendance at meetings, this~~

15 “(2) *Except for the purposes of subsections (a), (b),*
16 ~~and (c) of section 19 of this Act, this Act shall not apply~~
17 ~~to—~~

18 “(A) *the Foreign Service of the United States*
19 *under the Department of State, and*

20 ~~“(B) the Tennessee Valley Authority, and~~

21 ~~“(C) (B)~~ any individual appointed by the Presi-
22 dent by and with the advice and consent of the Senate
23 (other than a postmaster) or by the President alone,
24 unless such individual is specifically designated by the
25 President for training under this Act.”.

87TH CONGRESS
1ST SESSION

H. R. 6374

[Report No. 964]

A BILL

To clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

By Mr. MURRAY

APRIL 17, 1961

Referred to the Committee on Post Office and Civil Service

AUGUST 16, 1961

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Aug. 21, 1961

land in Sweetwater County, Wyo. p. 15425

Passed without amendment H. R. 4821, to authorize the Secretary of Agriculture to convey a parcel of forest land to the town of Tellico Plains, Tenn. p. 15426

At the request of Rep. Gross, passed over without prejudice H. R. 4939, to provide for the conveyance by the Farmers Home Administration of all right, title, and interest of the U. S. in a certain tract of land in Jasper County, Ga., to the Jasper County Board of Education. p. 15426

Passed without amendment H. R. 6193, to authorize the Secretary of Agriculture to convey a tract of forest land in Wyoming to Fremont County. p. 15426

Passed without amendment H. R. 3920, to authorize an exchange of land at the Agricultural Research Center. p. 15426

Passed as reported H. R. 4682, to authorize the Secretary of Agriculture to sell and convey certain tracts of forest lands in Iowa to the State. pp. 15426-7

17. FISHERIES. Passed without amendment H. R. 206, to facilitate administration of the fishery loan fund. p. 15419

18. SHIPPING. Passed as reported H. R. 6732, to amend the Merchant Marine Act to encourage the construction and maintenance of American-flag vessels built in American shipyards. p. 15429

19. PERSONNEL. Passed as reported H. R. 4131, to authorize the waiver of collection of certain erroneous payments made by the Federal Government to certain civilian and military personnel. pp. 15415-6

Passed without amendment H. R. 7021, to revise legislation authorizing Government agencies to provide quarters, household furniture and equipment, utilities, subsistence, and laundry service to civilian officers and employees of the United States. p. 15420

Passed as reported H. R. 6374, to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings. pp. 15432-3

20. CIVIL DEFENSE. Passed without amendment H. R. 8383, to amend the Federal Civil Defense Act of 1950 to ratify retroactive financial contributions made to States. p. 15429

Passed without amendment H. R. 8406, to change the name of the Office of Civil and Defense Mobilization to the Office of Emergency Planning. p. 15430

21. WATER COMPACTS. Passed without amendment S. 2245, to extend the time for negotiation of certain compacts by Nebr., Wyo., and S. D. This bill will now be sent to the President. p. 15431

22. PATENTS. Passed without amendment H. J. Res. 499, authorizing a celebration of the American patent system. p. 15422

23. SALINE WATER. Passed under suspension of the rules H. R. 7916, to expand and extend the saline water conversion program being conducted by the Secretary of the Interior. pp. 15468-74

24. FORESTRY. The Subcommittee of Forests of the Agriculture Committee voted to report to the full committee H. R. 3052, to increase by \$2 million the authorization for purchase and condemnation of land within the Superior National Forest, Minn., and (with amendments) H. R. 4934, to authorize the Secretary of Agriculture to modify certain leases entered into for the provision of recreation facilities in reservoir areas. p. D739

ITEMS IN APPENDIX

25. DAIRY INDUSTRY. Extensions of remarks of Sen. Aiken inserting an editorial, "Protecting Quality Milk," opposing H. R. 50, the proposed national dairy sanitation standards. p. A6527
Extension of remarks of Rep. Steed stating that "overwhelming evidence has been accumulated showing the appalling effect of price discrimination in the destruction of free competition and the creation of monopolies in the dairy industry," and inserting correspondence on this subject. pp. A6561-3
26. FOREIGN AID. Speech in the House by Rep. Scott supporting the President's foreign aid program. pp. A6527-8
Speech in the House by Rep. Wharton stating that "unless, and until, foreign aid is placed under a firm and businesslike administration, I shall continue to vote against it." p. A6537
Extension of remarks of Rep. Alger inserting his newsletter opposing the foreign aid bill, and an editorial, "Billions for Promises." pp. A6545-6, A6566-7
27. LANDS. Extension of remarks of Rep. Aspinall inserting an address by Harold Hochmuth, Bureau of Land Management, "The National Land Reserve Adjustments In The Range Livestock Industry," and stating that it outlines "the background and current thinking of the Department (Interior) concerning grazing on public lands. pp. A6529-31
Extension of remarks of Sen. Wiley urging "adoption of more efficient utilization and reforestation programs" and inserting an article." pp. A6534-5
28. AREA REDEVELOPMENT. Extension of remarks of Rep. Perkins stating that "...the Secretary of Agriculture, Orville Freeman, has demonstrated a keen insight and sympathy for the problems of our small rural farm areas," and inserting an article "Is Help, At Long Last, Coming To Our Rural Citizens?" p. A6536
29. WHEAT. Extension of remarks of Rep. Michel inserting an article, "Wheat Plan Dubious But Interesting," discussing the proposed plan to stockpile wheat for use in case of war. p. A6545
30. BOTANIC GARDENS. Extension of remarks of Rep. Inouye urging the establishment of a National Tropical Botanic Garden in Hawaii. pp. A6553-4
31. FARM PROGRAM. Extension of remarks of Rep. Alger inserting an article, "Surplus of Farmers," which suggests that continued subsidies will not solve the farm problem. p. A6558
Extension of remarks of Rep. Mathias inserting two articles commenting on the decision of the Dept. of Commerce to permit sales of subsidized farm products to be made to Russia and her satellite nations. p. A6565

BILLS INTRODUCED

32. RESEARCH. S. 2444, by Sen. Bennett, to provide for the establishment of a regional research center for rural redevelopment; to the Agriculture and Forestry Committee. Remarks of author. p. 15343-4
H. R. 8816, by Rep. Fascell, to expand and extend the saline water conversion program being conducted by the Secretary of the Interior; to the Interior and Insular Affairs Committee.
33. MONOPOLIES. H. R. 8830, by Rep. Steed, to amend the Federal Trade Commission Act to provide for the issuance of temporary cease-and-desist orders to prevent certain acts and practices pending completion of Federal Trade Commission proceedings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of March 24, 1948 (ch. 143, 62 Stat. 84; 24 U.S.C. 275) is amended to read as follows: "Superintendents of national cemeteries shall be selected from among meritorious and trustworthy persons who served in the Armed Forces of the United States, and who either were retired for physical disability, or were discharged or released therefrom under honorable conditions and are entitled to receive compensation for disability under the laws administered by the Veterans' Administration."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPACTS BY STATES OF NEBRASKA, WYOMING, AND SOUTH DAKOTA

The Clerk called the bill (S. 2245) to amend the act granting the consent of Congress to the negotiation of certain compacts by the States of Nebraska, Wyoming, and South Dakota in order to extend the time for such negotiation.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of the Act entitled "An Act granting the consent of Congress to the negotiation by the States of Nebraska, Wyoming, and South Dakota of certain compacts with respect to the use of waters common to two or more of said States", approved August 5, 1953 (67 Stat. 365), as amended, is amended further by striking out "eight years" and inserting in lieu thereof "ten years".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELATING TO NEGOTIATION OF CERTAIN COMPACTS

The Clerk called the resolution (S.J. Res. 76) authorizing the Secretary of the Interior during the calendar year 1952 to continue to deliver water to lands in certain irrigation districts in the State of Washington.

Mr. SAYLOR. Mr. Speaker, reserving the right to object, I wish to address a question to the Chairman of the Committee on Interior and Insular Affairs. This is an unusual proceeding that is involved in this act—proclamation law requires that before water can be delivered to a reclamation project after the development period there must be a repayment contract. This is the second year we have had to extend the delivery of water because the Department has not been able to negotiate and sign a satisfactory compact with these water users.

Is it the intention of the Committee on Interior and Insular Affairs to continue year after year to grant this special privilege to the people who live in this area of the Columbia Basin project?

Mr. ASPINALL. As far as the committee is concerned, or at least speaking for the chairman, it has no inten-

tion of year after year allowing delivery of water to either of these three districts unless contracts have been negotiated and executed.

My friend the gentleman from Pennsylvania is mistaken to a slight extent when he says that no water can be delivered until a contract is signed. The fact is that there is a development period that permits the delivery of water, but at the end of the development period the users must begin to pay, and previous to the year during which payment must first be paid a contract for repayment should be executed.

The gentleman is correct when he states that we had this matter before us during the last Congress when we granted certain extensions.

As far as I am concerned, this is the last extension I intend to support for either of these three districts in this great Columbia Basin area. I understand there is one district that is ready and willing to sign immediately, but the other two have held off. The governing principle of irrigation law in this respect is that the users must pay as much annually as they are able to pay to discharge the cost of the construction. If this legislation is passed we shall see to it that from now on these districts either sign contracts for repayment or that further deliveries of water be cut off.

Mr. SAYLOR. This is an unusual situation that exists in that area. The people who live on these projects in the Columbia Basin must realize that they and all other landowners in reclamation projects are required by law to pay to the extent of their ability. The reclamation law provides for a variable repayment contract for that part of the costs allocated to reclamation and the balance of the costs will be charged to the power users. That is all that the former Secretary of the Interior asked for and all that the present Secretary of the Interior is asking these people to do.

I would like to give formal notice that if the people on these projects do not comply with the request of the Secretary of the Interior I shall resist the extension of any further delivery of water without a signed contract.

Mrs. MAY. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Pennsylvania a question. But first, I would like to state that, as a Representative of the Fourth Congressional District of the State of Washington wherein lies the Columbia Basin project, I fully understand the thinking behind the comments made by both him and the distinguished chairman of the committee, Mr. ASPINALL. I would like to take this opportunity to assure them that those of us who are so concerned with the continued development of the Columbia Basin project do understand thoroughly that the committee insists that we meet our responsibilities on this project as regards an amendatory repayment contract within the coming year. May I point out that in asking for a deferment of these drainage charges we are not asking for preferred treatment. In this respect the question that I direct to the gentleman

from Pennsylvania for purposes of his information is: does he realize that this is not a forgiveness of charges but a deferment of the required payment until May 1, 1963. In the meantime, if amendatory repayment contracts are executed, and if these contracts receive congressional approval then these drainage charges as deferred under this bill would be capitalized as part of project construction costs and paid over a 50-year period. If new contracts are not executed by the beginning of the 1963 irrigation season the Columbia Basin water users would be required by the Department of the Interior to pay the 1962 drainage charges with interest as well as the 1963 drainage charges before they receive delivery of water in 1963.

The Department of the Interior is presently working on an amendatory repayment contract which they will present for negotiations to the water users of the Columbia Basin on or about September 1. It is felt that this plan will include provisions which will result in the equitable solution of the many serious issues involved in continuing the development of this important reclamation project. I assure my colleagues on the Committee of Interior and Insular Affairs that the Department of the Interior has pledged that these provisions will be consistent with sound reclamation policy and law. To create the proper atmosphere for negotiating these contracts and getting them approved by the water users before submission for congressional approval next year, we are in serious need of this proposed deferment action which would remove the irritating pressure of the upcoming drainage charge to be levied on the farmers of the basin area.

The Columbia Basin project, although beset with difficult problems is a sound project that has already contributed much to the general welfare of America and has an even greater potential in resources to deliver to our Nation in the future. The continued orderly development of this area can be assured only when and if we obtain a permanent solution to the Columbia Basin repayment contract controversy. The passing of this deferment legislation is an important first step toward that permanent solution. I thank the gentlemen from Colorado and from Pennsylvania for their understanding of and their sympathy with the unique and special problems which beset us on the Columbia Basin project and offer my cooperation in working with them in resolving these problems in the best interest of the future of reclamation everywhere.

(Mrs. MAY asked and was given permission to revise and extend her remarks.)

Mr. GROSS. Mr. Speaker, further reserving the right to object, I am only sorry I did not know of this situation when the foreign handout bill was before the House last week. We might have taken care of these American farmers under that bill. If Federal funds are used to construct an irrigation project in Peru or in some other foreign country, there would not be a threat to shut

off the water and therefore the livelihood of any farmer in Peru, Uruguay or Cambodia if they could not pay their bills, if any. I am sorry I did not know this situation existed last week so that I might have offered an amendment to the giveaway bill to see that the American farmers would get at least equal treatment with foreigners.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate joint resolution?

There being no objection, the Clerk read the Senate joint resolution as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That pending completion of the amendatory repayment contracts with the Quincy-Columbia Basin Irrigation District, the East Columbia Basin Irrigation District, and the South Columbia Basin Irrigation District, State of Washington, to the extent the Secretary of the Interior during the calendar year 1962 constructs necessary drainage facilities on the Columbia Basin project which are charged as a part of the cost of operation and maintenance as provided in the third sentence of article 7 of the existing repayment contracts with said districts, the Secretary is authorized to the extent of costs thereof to waive the provisions of articles 30(a) and 30(b) of said contracts and to deliver water during the calendar year 1962.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORT SMITH NATIONAL HISTORIC SITE, ARK.

The Clerk called the bill (H.R. 32) authorizing the establishment of the Fort Smith National Historic Site, in the State of Arkansas, and for other purposes.

Mr. GROSS. Mr. Speaker, since this bill has been scheduled for consideration under suspension of the rules, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ADDITIONAL WRITING OR PRINTING ON THIRD- AND FOURTH-CLASS MAIL

The Clerk called the bill (H.R. 7559) to amend title 39 of the United States Code to provide for additional writing or printing on third and fourth class mail.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the present section 4555 of title 39, United States Code, be designated subparagraph (a) and a new subparagraph (b) be added as follows:
"(b) There may be enclosed with, attached to, or endorsed upon third and fourth class mail, either in writing or otherwise, the instructions and directions for the use thereof."

The bill was ordered to be engrossed and read a third time, was read the third time,

and passed, and a motion to reconsider was laid on the table.

U.S. PARTICIPATION IN THE NEW YORK WORLD'S FAIR

The Clerk called the bill (H.R. 7763) to provide for planning the participation of the United States in the New York World's Fair, to be held at New York City in 1964 and 1965, and for other purposes.

Mr. HOFFMAN of Michigan. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN of Michigan. Mr. Speaker, the gentleman from Iowa was on his feet seeking recognition.

Mr. GROSS. It is in connection with the bill we are presently considering.

Mr. HOFFMAN of Michigan. No. 265?

Mr. GROSS. No. H.R. 7763.

Mr. HOFFMAN of Michigan. We have an amendment to that bill.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry. Which bill?

The SPEAKER pro tempore. The bill we are presently considering.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GROSS. What is the number of the bill we now have under consideration?

The SPEAKER pro tempore. The bill to be considered is S. 841, No. 266 on the calendar.

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and twenty-three Members are present, a quorum.

AMENDING TEACHERS PAY AND PERSONNEL PRACTICES ACT

The Clerk called the bill (S. 841) to amend the Defense Department Overseas Teachers Pay and Personnel Act, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7(d) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (5 U.S.C. 2355(d)) is amended by inserting after the words "he shall", the words "except for reasons beyond his control and acceptable to the Department of Defense,"

Sec. 2. Section 7 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b-3), is amended by inserting in the first proviso after the words "his appointment", and in the second proviso after the word "concerned", the words "or, in the case of a person employed in a teaching position (other than as a substitute) in the Depart-

ment of Defense under the Defense Department Overseas Teachers Pay and Personnel Practices Act (5 U.S.C. 2351, and the following), for a minimum period of one school year as determined under such Act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAYMENT OF EXPENSES OF ATTENDANCE OF GOVERNMENT EMPLOYEES AT CERTAIN MEETINGS

The Clerk called the bill (H.R. 6374) to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 4 of the Government Employees Training Act, as amended (5 U.S.C. 2303(a)), is amended to read as follows:

"(a) (1) This Act shall not apply to—
"(A) the President or Vice President of the United States,

"(B) any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests, and

"(C) any individual (except an officer of the Coast and Geodetic Survey in the Department of Commerce) who is a member of the uniformed services as defined in section 102(a) of the Career Compensation Act of 1949, as amended, during any period in which he is receiving compensation under title II of such Act.

"(2) Except for the purposes of subsection (b) of section 19 of this Act and that part of subsection (a) of such section which relates to payment of travel, subsistence, and other expenses incident to attendance at meetings, this Act shall not apply to—

"(A) the Foreign Service of the United States under the Department of State,

"(B) the Tennessee Valley Authority, and

"(C) any individual appointed by the President by and with the advice and consent of the Senate (other than a postmaster) or by the President alone, unless such individual is specifically designated by the President for training under this Act."

With the following committee amendments:

Page 2, line 6, strike out "and".

Page 2, immediately following line 6, insert the following:

"(C) the Tennessee Valley Authority, and"

Page 2, line 8, strike out "(C)" and insert in lieu thereof "(D)".

Page 2, strike out lines 14 to 17, inclusive, and insert in lieu thereof the following:

"(2) Except for the purposes of subsections (a), (b), and (c) of section 19 of this Act, this"

Page 2, line 22, after the comma insert "and".

Page 2, line 23, strike out—

"(B) the Tennessee Valley Authority, and"

Page 2, line 24, strike out "(C)" and insert in lieu thereof "(B)".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the eligible bills on the calendar.

INTERNATIONAL CONVENTION FOR THE PREVENTION OF THE POLLUTION OF THE SEA BY OIL

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill S. 2187, a bill similar to H.R. 8152, passed earlier today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, to implement the provisions of the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954, may be cited as the "Oil Pollution Act, 1961".

SEC. 2. DEFINITIONS.—As used in this Act, unless the context otherwise requires—

(a) The term "convention" means the International Convention for the Prevention of the Pollution of the Sea by Oil, 1954;

(b) The term "discharge" in relation to oil or to an oily mixture means any discharge or escape howsoever caused;

(c) The term "heavy diesel oil" means marine diesel oil, other than those distillates of which more than 50 percentum by volume distills at a temperature not exceeding three hundred and forty degrees centigrade when tested by American Society for the Testing of Materials standard method D. 158/53;

(d) The term "mile" means a nautical mile of six thousand and eighty feet or one thousand eight hundred and fifty-two meters;

(e) The term "oil" means persistent oils, such as crude oil, fuel oil, heavy diesel oil, and lubricating oil. For the purposes of this legislation, the oil in an oily mixture of less than one hundred parts of oil in one million parts of the mixture, shall not be deemed to foul the surface of the sea;

(f) The term "person" means an individual, partnership, cooperation, or association; and any owner, operator, agent, master, officer, or employee of a ship;

(g) The term "prohibited zones" means the zones described in section 12 of this Act as modified by notices, if any, of extension or reduction issued by the Secretary;

(h) The term "Secretary" means the Secretary of the Army;

(i) The term "ship" means a seagoing ship of American registry except—

(1) ships for the time being used as naval auxiliaries;

(2) ships of under five hundred tons gross tonnage;

(3) ships for the time being engaged in the whaling industry;

(4) ships for the time being navigating the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of the Lachine Canal at Montreal in the Province of Quebec, Canada.

SEC. 3. (a) Subject to the provisions of sections 4 and 5, the discharge by any person from any ship, which is a tanker, within any of the prohibited zones of oil or any oily mixture the oil in which fouls the surface of the sea, shall be unlawful.

(b) Subject to the provisions of sections 4 and 5, any discharge by any person into the sea from a ship, other than a tanker, of oily ballast water or tank washings shall be made as far as practicable from land. As from July 26, 1961, paragraph (a) of this

section shall apply to ships other than tankers as it applies to tankers, except that the prohibited zones in relation to ships other than tankers shall be those referred to in the schedule.

SEC. 4. Section 3 shall not apply to—

(a) the discharge of oil or of an oily mixture from a ship for the purpose of securing the safety of the ship, preventing damage to the ship or cargo, or saving life at sea; or

(b) the escape of oil, or of an oily mixture, resulting from damage to the ship or unavoidable leakage, if all reasonable precautions have been taken after the occurrence of the damage or discovery of the leakage for the purpose of preventing or minimizing the escape;

(c) the discharge of sediment—

(i) which cannot be pumped from the cargo tanks of tankers by reason of its solidity; or

(ii) which is residue arising from the purification or clarification of oil fuel or lubricating oil,

Provided, That such discharge is made as far from land as is practicable.

SEC. 5. Section 3 shall not apply to the discharge from the bilges of a ship—

(a) of any oily mixture, during the period of twelve months after the United States accepts the convention;

(b) after the expiration of such period, of an oily mixture containing no oil other than lubricating oil.

SEC. 6. Any person who violates any provision of this Act, except sections 8(b) and 9, or any regulation prescribed in pursuance thereof, is guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding \$2,500 nor less than \$500, or by imprisonment not exceeding one year, or by both such fine and imprisonment, for each offense. And any ship (other than a ship owned and operated by the United States) from which oil is discharged in violation of this Act, or any regulation prescribed in pursuance thereof, shall be liable for the pecuniary penalty specified in this section, and clearance of such ship from a port of the United States may be withheld until the penalty is paid, and said penalty shall constitute a lien on such ship which may be recovered in proceedings by libel in rem in the district court of the United States for any district within which the ship may be.

SEC. 7. The Coast Guard may, subject to the provisions of section 4450 of the Revised Statutes, as amended (46 U.S.C. 239), suspend or revoke a license issued to the master or other licensed officer of any ship found violating the provisions of this Act or the regulations issued pursuant thereto.

SEC. 8. (a) In the administration of sections 1-12 of this Act, the Secretary may make use of the organization, equipment, and agencies, including engineering, clerical, and other personnel, employed under his direction in the improvement of rivers and harbors and in the enforcement of laws for the improvement of rivers and harbors and in the enforcement of laws for the preservation and protection of navigable waters. For the better enforcement of the provisions of said sections, the officers and agents of the United States in charge of river and harbor improvements and persons employed under them by authority of the Secretary, and officers and employees of the Bureau of Customs and the Coast Guard, shall have power and authority and it shall be their duty to swear out process and to arrest and take into custody, with or without process, any person who may violate any of said provisions: *Provided, That no person shall be arrested without process for a violation not committed in the presence of some one of the aforesaid officials: And provided further, That whenever any arrest is made under the provisions of said sections the person so arrested shall be brought forthwith before a commissioner, judge, or court*

of the United States for examination of the offenses alleged against him; and such commissioner, judge, or court shall proceed in respect thereto as authorized by law in cases of crimes against the United States. Representatives of the Secretary and of the Bureau of Customs and Coast Guard of the United States may go on board and inspect any ship in a prohibited zone or in a port of the United States as may be necessary for enforcement of this Act.

(b) To implement article VII of the convention, ship fittings and equipment, and operating requirements thereof, shall be in accordance with regulations prescribed by the Secretary of the Department in which the Coast Guard is operating. Any person found violating these regulations shall, in addition to any other penalty prescribed by law, be subject to a civil penalty not in excess of \$100.

SEC. 9. (a) There shall be carried in every ship an oil record book in the form specified in section 13 of this Act. In the event of discharge or escape of oil from a ship in a prohibited zone, a signed statement shall be made in the oil record book, by the officer or officers in charge of the operations concerned and by the master of the ship, of the circumstances of and the reason for the discharge or escape.

(b) If any person fails to comply with the requirements imposed by or under this section, he shall be liable on conviction to a fine not exceeding \$1,000 nor less than \$500 and if any person makes an entry in any records kept in accordance with this Act which is to his knowledge false or misleading in any material particular, he shall be liable on conviction to a fine not exceeding \$1,000 nor less than \$500 or imprisonment for a term not exceeding six months, or both.

SEC. 10. The Secretary may make regulations for the administration of sections 3, 4, 5, 8(a), and 9.

SEC. 11. (a) The Secretary may make regulations empowering such persons as may be designated to go on board any ship to which the convention applies, while the ship is within the territorial jurisdiction of the United States, and to require production of any records required to be kept in accordance with the convention.

(b) Should evidence be obtained that a ship registered in another country party to the convention has discharged oil in any prohibited zone, such evidence should be forwarded to the State Department for action in accordance with article X of the convention.

SEC. 12. (a) Subject to paragraph (c) of this section, the prohibited zones in relation to tankers shall be all sea areas within fifty miles from land, with the following exceptions:

(1) THE ADRIATIC ZONES.—Within the Adriatic Sea the prohibited zones off the coasts of Italy and Yugoslavia respectively shall each extend for a distance of fifty miles from land, excepting only the island of Vis.

(2) THE NORTH SEA ZONE.—The North Sea Zone shall extend for a distance of one hundred miles from the coasts of the following countries—

Belgium,
Denmark,
the Federal Republic of Germany,
the Netherlands,
the United Kingdom of Great Britain and Northern Ireland;

but not beyond the point where the limit of a one hundred-mile zone off the west coast of Jutland intersects the limit of the fifty-mile zone off the coast of Norway.

(3) THE ATLANTIC ZONE.—The Atlantic Zone shall be within a line drawn from a point on the Greenwich meridian one hundred miles in a north-northeasterly direction from the Shetland Islands; thence north-

ward along the Greenwich meridian to latitude 64 degrees north; thence westward along the 64th parallel to longitude 10 degrees west; thence to latitude 60 degrees north, longitude 14 degrees west; thence to latitude 54 degrees 30 minutes north, longitude 30 degrees west; thence to latitude 44 degrees 20 minutes north, longitude 30 degrees west; then to latitude 48 degrees north, longitude 14 degrees west; thence eastward along the forty-eighth parallel to a point of intersection with the fifty-mile zone off the coast of France: *Provided*, That in relation to voyages which do not extend seaward beyond the Atlantic Zone as defined above, and which are to points not provided with adequate facilities for the reception of oily residue, the Atlantic Zone shall be deemed to terminate at a distance of one hundred miles from land.

(4) THE AUSTRALIAN ZONE.—The Australian Zone shall extend for a distance of one hundred and fifty miles from the coasts of Australia, except off the north and west coasts of the Australian mainland between the point opposite Thursday Island and the point on the west coast at 20 degrees south latitude.

(b) Subject to paragraph (c) of this section the prohibited zones in relation to ships other than tankers shall be all sea areas within fifty miles from land with the following exceptions:

(1) THE ADRIATIC ZONES.—Within the Adriatic Sea the prohibited zones off the coasts of Italy and Yugoslavia respectively shall each extend for a distance of twenty miles from land, excepting only the Island of Vis. After the expiration of a period of three years following the application of prohibited zones to ships other than tankers in accordance with section 3(b) of this Act the said zones shall each be extended by a further thirty miles in width unless the two Governments agree to postpone such extension. In the event of such an agreement, the Convention provides for notification to be given accordingly to the Intergovernmental Maritime Consultative Organization by said governments, not less than three months before the expiration of such period of three years and for notification to be given to all contracting governments by the Intergovernmental Maritime Consultative Organization.

(2) THE NORTH SEA AND ATLANTIC ZONES.—The North Sea and Atlantic Zones shall extend for a distance of one hundred miles from the coasts of the following countries:

Belgium,
Denmark,
the Federal Republic of Germany,
Ireland,
the Netherlands,
the United Kingdom of Great Britain and Northern Ireland,

but not beyond the point where the limit of a one-hundred-mile zone off the west coast of Jutland intersects the limit of the fifty-mile zone off the coast of Norway.

(c) With respect to the reduction or extension of the zones described above effectuated under the terms of the Convention, the Secretary of the Army shall give notice thereof by publication of such information in Notices to Mariners issued by the United States Coast Guard and United States Navy.

SEC. 13. (a) The Secretary shall have printed separate booklets which set forth instructions and spaces for inserting information as follows:

- (1) FOR TANKERS.—
 - (A) Date of entry.
 - (B) Ballasting of and discharge of ballast from cargo tanks.
 - (i) Identity numbers of tank(s).
 - (ii) Type of oil previously contained in tank(s).
 - (iii) Date and place of ballasting.
 - (iv) Date and time of discharge of ballast water.

- (v) Place or position of ship.
- (vi) Approximate amount of oil contaminated water transferred to slop tank(s).
- (vii) Identity numbers of slop tank(s).
- (C) Cleaning of cargo tanks.
 - (i) Identity numbers of tank(s) cleaned.
 - (ii) Type of oil previously contained in tank(s).

(iii) Identity numbers of slop tank(s) to which washings transferred.

- (iv) Dates and times of cleaning.
- (D) Settling in slop tank(s) and discharge of water.

- (i) Identity numbers of slop tank(s).
- (ii) Period of settling (in hours).
- (iii) Date and time of discharge of water.
- (iv) Place or position of ship.
- (v) Approximate quantities of residue.
- (E) Disposal from ship of oily residues from slop tanks and other sources.

- (i) Date and method of disposal.
- (ii) Place or position of ship.
- (iii) Sources and approximate quantities.
- (F) Signature of Officer or Officers in Charge of the operations concerned and Signature of the Master.

(2) FOR SHIPS OTHER THAN TANKERS.—

- (A) Date of entry.
- (B) Ballasting, or cleaning during voyage, of bunker fuel tanks.

- (i) Identity number of tank.
- (ii) Type of oil previously contained in tank.

- (iii) Date and place of ballasting.
- (iv) Date and time of discharge of ballast or washing water.

- (v) Place or position of ship.
- (vi) Whether separator used: if so, give period of use.

- (vii) Disposal of oily residue retained on board.

- (C) Disposal from ship of oily residues from bunker fuel tanks and other sources.

- (i) Date and method of disposal.
- (ii) Place or position of ship.
- (iii) Sources and approximate quantities.
- (D) Signature of officer or officers in charge of the operations concerned and signature of the master.

(3) FOR ALL SHIPS.—

- (A) Date of entry.
- (B) Accidental and other exceptional discharges or escapes of oil.

- (i) Date and time of occurrence.
- (ii) Place or position of ship.
- (iii) Approximate quantity and type of oil.

- (iv) Circumstances of discharge or escape and general remarks.

- (C) Signature of officer or officers in charge of the operations concerned and signature of the master.

(b) The booklet shall be furnished free to all seagoing ships of American registry subject to this Act. The provisions of section 140 of title 5, United States Code shall not apply. The ownership of the booklet shall remain in the United States Government. This booklet shall be available for inspection as provided in this Act and for surrender to the United States Government pursuant to regulations of the Secretary.

SEC. 14. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SEC. 15. If a provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

SEC. 16. Nothing in this Act or in regulations issued hereunder shall be construed to modify or amend the provisions of the Oil Pollution Act, 1924 (33 U.S.C. 431-437), or of section 89 of title 14, United States Code.

SEC. 17. This Act shall become effective upon the date of its enactment or upon the date the United States becomes a party to the convention, whichever is the later date.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The proceedings by which the bill H.R. 8152 was passed were vacated, and that bill was laid on the table.

TAX TREATMENT OF CERTAIN CLAYS AND SHALE

Mr. IKARD of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7057) relating to the application of the terms "gross income from mining" and "ordinary treatment processes normally applied by mine owners or operators in order to obtain the commercially marketable mineral product or products" to certain clays and shale for taxable years beginning before December 14, 1959.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the decision of the Supreme Court of the United States in United States against Canneiton Sewer Pipe Company (1959) (364 U.S. 76), the terms "gross income from mining" and "ordinary treatment processes normally applied by mine owners or operators in order to obtain the commercially marketable mineral product or products" as used in paragraphs (1) and (2) of section 613(c) of the Internal Revenue Code of 1954 as in force for taxable years beginning before January 1, 1961 (and the corresponding provisions of the Internal Revenue Code of 1939), in their application to the terms "shale" and "clay" as used in paragraphs (3), (5)(A), and (6) of section 613(b) of the Internal Revenue Code of 1954, or corresponding provisions of the Internal Revenue Code of 1939) shall, for any taxable year beginning before December 14, 1959, be treated as having a meaning consistent with the principles set forth in the decisions of the United States Court of Appeals for the Fifth Circuit in the United States against Cherokee Brick and Tile Company (1955) (218 F. 2d 424) and United States against Merry Brothers Brick and Tile Company (1957) (242 F. 2d 708) (certiorari denied, 355 U.S. 824).

The SPEAKER pro tempore. Is a second demanded?

Mr. BYRNES of Wisconsin. Mr. Speaker, I demand a second.

Mr. IKARD of Texas. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. IKARD of Texas. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and that all Members may have 5 legislative days in which to revise and extend their remarks with reference to this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. IKARD of Texas. Mr. Speaker, the bill, H.R. 7057, which was unanimously approved by the Committee on Ways and Means, is, I am certain, of particular interest to many Members. It deals with the determination of the base upon which percentage depletion is to be computed for brick and tile clay

87TH CONGRESS
1ST SESSION

H. R. 6374

IN THE SENATE OF THE UNITED STATES

AUGUST 22 (legislative day, AUGUST 21), 1961

Read twice and referred to the Committee on Post Office and Civil Service

AN ACT

To clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (a) of section 4 of the Government Em-
4 ployees Training Act, as amended (5 U.S.C. 2303 (a)),
5 is amended to read as follows:

6 “(a) (1) This Act shall not apply to—

7 “(A) the President or Vice President of the United
8 States,

9 “(B) any corporation under the supervision of the

1 Farm Credit Administration of which corporation any
2 member of the board of directors is elected or appointed
3 by private interests,

4 “(C) the Tennessee Valley Authority, and

5 “(D) any individual (except an officer of the
6 Coast and Geodetic Survey in the Department of Com-
7 merce) who is a member of the uniformed services as
8 defined in section 102 (a) of the Career Compensation
9 Act of 1949, as amended, during any period in which
10 he is receiving compensation under title II of such Act.

11 “(2) Except for the purposes of subsections (a), (b),
12 and (c) of section 19 of this Act, this Act shall not apply
13 to—

14 “(A) the Foreign Service of the United States
15 under the Department of State, and

16 “(B) any individual appointed by the President
17 by and with the advice and consent of the Senate
18 (other than a postmaster) or by the President alone,
19 unless such individual is specifically designated by the
20 President for training under this Act.”.

Passed the House of Representatives August 21, 1961.

Attest:

RALPH R. ROBERTS,

Clerk.



AN ACT

To clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

August 22 (legislative day, August 21), 1961

Read twice and referred to the Committee on Post
Office and Civil Service

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted,
or cited)

Issued July 9, 1962
For actions of July 6, 1962
87th-2d, No. 114

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HIGHLIGHTS: Sen. Aiken commended rejection of proposed turkey marketing order. Sen. Aiken inserted Wallaces Farmer poll on farmer opposition to compulsory farm controls. Sen. Morse criticized premium payments on foreign sugar imports. Sen. Morse defended Justice Dept. decision on access rights to national forests. Senate subcommittee approved bill for retirement credit for certain Federal-State cooperative service. Sen. Wiley commended school lunch program. Senate agreed to consider International Wheat Agreement Mon., July 9. Sen. Magnuson introduced and discussed bill to aid domestic forest products industry.

SENATE

1. FARM PROGRAM. Sen. Aiken inserted a Wallaces Farmer article showing the results of a poll among farmers indicated that 28 percent would favor compulsory feed grains controls and 28 percent would favor voluntary controls. pp. 11931-2
2. TURKEY MARKETING ORDER. Sen. Aiken inserted a release by this Department announcing that growers voted in a referendum to reject a proposed marketing order for turkeys, and contended that the proposal "was really an effort to concentrate the controls over the poultry industry, first, in the hands of a few large producers, but ultimately in the hands of the Federal Government." Sen. Dirksen inserted an editorial on the referendum, "Rigged Referendum." pp. 11930-1
3. FORESTRY. Sen. Morse defended the Attorney General's decision that certain private property owners within the boundaries of the national forests do not have rights of access to the national forests, criticized "the incorrect

allegations of the National Lumber Manufacturers Association that 39 million acres of private land will have its value impaired by the Attorney General's opinion." pp. 11964-74

4. SUGAR. Sen. Morse criticized premium payments for sugar imported from foreign countries, and contended that the Sugar Act has "become a racket of lobbyists and oligarchs at the expense of the American taxpayers." pp. 11962-3
5. SCHOOL LUNCH. Sen. Wiley commended the school lunch program and inserted a letter from the school lunch administrative assistant for the Wisc. State Department of Public Instruction favoring proposed legislation to revise the formula for distributing funds under the program. p. 11921
6. WHEAT. Agreed to a unanimous-consent agreement by Sen. Mansfield for consideration of the International Wheat Agreement on Mon., July 9. p. 11946
7. PUBLIC WELFARE; MEDICAL CARE. Continued debate on H. R. 10606, to extend and improve the public assistance and child welfare services programs of the Social Security Act (pp. 11927-9, 11932-50). Rejected an amendment by Sen. Morton, in the nature of a substitute for an amendment by Sen. Anderson, to provide a program of medical care for the aged through medical insurance with private insurance firms (pp. 11927-9, 11932-45).
8. PERSONNEL. A special subcommittee of the Post Office and Civil Service Committee approved for full committee consideration S. 2363, to allow retirement credit for certain service under Federal-State cooperative programs. p. D560
A subcommittee of the Post Office and Civil Service Committee approved for full committee consideration H. R. 6374, to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings. p. D 560
9. SMALL BUSINESS. Conferees were appointed on S. 2970, to increase the revolving fund of the Small Business Administration (pp. 11921-3). House conferees have not yet been appointed.
10. APPROPRIATIONS. Sen. Moss submitted amendments intended to be proposed to H. R. 10904, the Labor-HEW appropriation bill, to increase the appropriation for assistance for schools in Federally impacted areas. p. 11917
The "Daily Digest" states that the Senate Appropriations Committee "met in executive session to discuss procedures for the consideration of appropriations measures, and adopted a resolution setting forth the opinions of the committee in regard to this matter." p. D559
11. EXTENSION WORK. Sen. Kefauver commended the land-grant colleges on their 100th anniversary. pp. 11950-1
Sen. Morse inserted an address by Dr. Paul S. Taylor, chairman of the Institute of International Studies, University of Calif., "Export of the Land-Grant Idea - Opportunities and Challenges." pp. 11974-8
12. FLOOD INSURANCE. Sen. Robertson announced that a hearing will be held on Thurs., July 12, 1962, on S. 3066, to authorize a study of methods of helping to provide financial assistance to victims of future flood disasters. pp. 11917-8
13. MONOPOLIES. Sen. Kefauver inserted two items on monopolies and economic concentration, "U. S. Report Shows Corporate Giants Sharply Increase Share of Output," and "Buttress for competition." pp. 11952-3
14. ADJOURNED until Mon., July 9. p. 11978

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
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HIGHLIGHTS: Senate tabled medicare amendment. Senate committee reported rice enrichment bill. Sen. Humphrey criticized CED farm program report. Sen. Clark commended his humane-animal-research bill. Sen. Miller claimed USDA grain-storage mismanagement. Senate subcommittee voted to report bills to provide additional research facilities at State experiment stations, and amend extension service legislation. Sen. Williams, N. J., commended HHFA migratory-labor housing and Goldberg's minimum-wage action in Calif. House committee reported State, Justice, and Commerce appropriation bill. Rep. Fountain introduced and discussed bill to provide periodic review of grants-in-aid programs. Rep. Nelsen inserted editorial critical of CED's farm program report. Sen. Wiley urged expanded global food plan.

SENATE

- 1. HEALTH.** Passed with amendments H. R. 10606, to extend and improve the public assistance and child welfare services programs of the Social Security Act. Tabled, 52-48, the Anderson medicare amendment. Senate conferees were appointed. pp. 12886-95, 12900-33
- 2. RICE ENRICHMENT.** The Agriculture and Forestry Committee reported with amendments S. 3152, to provide for the nutritional enrichment and sanitary packaging of rice prior to its distribution under certain Federal programs (S. Rept. 1741). p. 12883
- 3. FARM PROGRAM.** Sen. Humphrey criticized the recent report of the Committee for Economic Development regarding the farm program and inserted an article by Julius Duschka on this subject. pp. 12895-8
- 4. HUMANE ANIMAL RESEARCH.** Sen. Clark defended his bill to require humane treatment

of animals in research and inserted a report by Betty Beale on this matter. pp. 12899-900

5. GRAIN STORAGE. Sen. Miller claimed this Department has mismanaged grain-storage operations and inserted an article by Nick Kotz on this subject. pp. 12935-7
6. FARM LABOR. Sen. Williams, N. J., commended the Housing and Home Finance Agency for its housing program for migratory labor and inserted the Agency's announcement on this matter. pp. 12949-50
Sen. Williams, N. J., also defended the recent action of Secretary Goldberg regarding a minimum wage for certain farm workers in Calif. pp. 12950-1
7. NOMINATIONS. The Labor and Public Welfare Committee reported favorably the nomination of Jerome B. Wiesner to be Director of the Office of Science and Technology. p. 12883
Received the nominations of various persons to the National Science Board, NSF. p. 12951
8. TRANSPORTATION. Sen. Kefauver announced Sen. Humphrey as a cosponsor of S. 3097, to defer certain railroad mergers. pp. 12883-4
9. LEGISLATIVE PROGRAM. Agreed to have a calendar call today, July 18. H. R. 10904, the Labor-HEW appropriation bill, was made the unfinished business. pp. 12932-3
10. PERSONNEL. The Post Office and Civil Service Committee reported without amendment H. R. 6374, to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings (S. Rept. 1740). p. 12883

HOUSE

11. APPROPRIATIONS. The Appropriations Committee reported without amendment H. R. 12580, the State-Justice-Commerce appropriation bill for 1963. (H. Rept. 1996). p. 12880
Passed with amendments H. R. 11974, to authorize appropriations for the Atomic Energy Commission. pp. 12823-61
12. FOREIGN AID. Rep. Chipperfield was appointed as a conferee on S. 2996, the foreign aid authorization bill, to replace Rep. Bolton. pp. 12865-6
13. CORN. Rep. Jensen announced that the Iowa Members of Congress and the American Corn Millers' Federation are furnishing cornbread gratis to the House today and every other Monday, starting next Monday, as a constant reminder of the high nutritional value of corn and the place this grain holds in the history of this Nation. p. 12862
14. PATENTS. The Judiciary Committee reported without amendment H. R. 12513, to provide for public notice of settlements in patent interferences (H. Rept. 1983) p. 12880
15. EXTENSION WORK; RESEARCH. The Subcommittee on Research and Extension of the House Agriculture Committee ordered favorably reported to the full committee, amended, H. R. 890, to assist States to provide additional facilities for research at State experiment stations; and H. R. 11240, to amend the Smith-Lever Act regarding extension work. p. D596

CLARIFICATION OF GOVERNMENT EMPLOYEES TRAINING ACT

JULY 17, 1962.—Ordered to be printed

Mr. YARBOROUGH, from the Committee on Post Office and Civil Service, submitted the following

REPORT

[To accompany H.R. 6374]

The Committee on Post Office and Civil Service, to whom was referred the bill (H.R. 6374) to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

This measure is a perfecting amendment designed to correct an inadvertent oversight in the Government Employees Training Act.

EXPLANATION

Section 19(b) of the Government Employees Training Act provided that any appropriation available to any department for expenses of travel should be available for expenses of attendance at meetings concerned with functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

Section 4 excludes Foreign Service Employees, Tennessee Valley Authority employees, and Presidential appointees from the Government Employees Training Act. After the Government Employees Training Act was passed, the customary appropriation language providing travel authority for these three groups of employees to attend such meetings was deleted from existing laws. Therefore,

at the present time, there is no clear legal basis for these groups of employees to attend such meetings at Government expense.

The bill, as approved in the House, continues the present exclusion of the Tennessee Valley Authority from all parts of the Training Act since it does not need and does not desire the authority embodied in subsections (a), (b), and (c) of section 19 which under the bill are made applicable to Foreign Service Employees and Presidential appointees.

COST

Enactment of this measure will not result in any increase in appropriations since the authority for payment of expenses of attendance at meetings by the relatively few employees concerned was presumed to exist until the inadvertent omission was noted.

AGENCY VIEWS

Following are letters from the Civil Service Commission requesting approval of this measure:

CIVIL SERVICE COMMISSION,
Washington, D.C., April 7, 1961.

HON. OLIN D. JOHNSTON,
Chairman, Post Office and Civil Service Committee,
U.S. Senate, Washington, D.C.

DEAR SENATOR JOHNSTON: The Civil Service Commission has today transmitted to the President of the Senate the attached legislative proposal incorporating a perfecting amendment to the Government Employees Training Act, Public Law 85-507, as amended.

After the Government Employees Training Act was passed, the customary appropriation language providing travel authority for three groups of employees to attend meetings was deleted from existing laws.

The proposal would restore travel authorization to attend meetings to Foreign Service employees of the Department of State, Tennessee Valley Authority employees, and Presidential appointees.

I would like to enlist your support of this proposed legislation.

Sincerely yours,

JOHN W. MACY, Jr., *Chairman.*

CIVIL SERVICE COMMISSION,
Washington, D.C., April 7, 1961.

HON. LYNDON B. JOHNSON,
President of the Senate.

DEAR MR. PRESIDENT: We are submitting for the consideration of the Congress proposed legislation which would further amend the Government Employees Training Act, Public Law 85-507, as amended. The amendment would insure that authority exists for the payment from available appropriations of expenses of attendance at certain meetings by Foreign Service employees, Tennessee Valley Authority employees, and Presidential appointees. These are meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

Section 19(b) of the Government Employees Training Act provided that any appropriation available to any department for expenses of travel should be available for expenses of attendance at the above types of meetings and ostensibly provides all necessary authority for incurring such expenses. However, because of the exclusions from the coverage of the act as specified in section 4, it is doubtful whether such authority exists with respect to these named classes of individuals. Therefore, at the present time, there is no clear legal basis for the specified individuals to attend such meetings at Government expense.

The proposed bill is perfecting legislation intended to amend section 4 of Public Law 85-507. Enactment of this legislation will provide for the payment of the above-described expenses from appropriated funds. The Civil Service Commission strongly urges its early and favorable consideration.

The Bureau of the Budget advises that from the standpoint of the administration's program, there would be no objection to the submission of this draft bill to the Congress.

By direction of the Commission:

Sincerely yours,

JOHN W. MACY, Jr., *Chairman.*

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets and new matter is printed in *italic*):

SECTION 4(a) OF THE GOVERNMENT EMPLOYEES TRAINING ACT (5 U.S.C. 2303(a))

EXCLUSION

SEC. 4. (a) (1) This Act shall not apply to—

[(1)] (A) the President or Vice President of the United States,

[(2)] the Foreign Service of the United States under the Department of State,]

[(3)] (B) any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests,

[(4)] (C) the Tennessee Valley Authority, *and*

[(5)] any individual appointed by the President by and with the advice and consent of the Senate (other than a postmaster) or by the President alone, unless such individual is specifically designated by the President for training under this Act, and]

[(6)] (D) any individual (except an officer of the Coast and Geodetic Survey in the Department of Commerce) who is a member of the uniformed services as defined in section 102(a) of the Career Compensation Act of 1949, as amended, during any period in which he is receiving compensation under title II of such Act.

(2) *Except for the purposes of subsections (a), (b), and (c) of section 19 of this Act, this Act shall not apply to—*

(A) the Foreign Service of the United States under the Department of State, and

(B) any individual appointed by the President by and with the advice and consent of the Senate (other than a postmaster) or by the President alone, unless such individual is specifically designated by the President for training under this Act.



Calendar No. 1697

87TH CONGRESS
2^D SESSION

H. R. 6374

[Report No. 1740]

IN THE SENATE OF THE UNITED STATES

AUGUST 22 (legislative day, AUGUST 21), 1961

Read twice and referred to the Committee on Post Office and Civil Service

JULY 17, 1962

Reported by Mr. YARBOROUGH, without amendment

AN ACT

To clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That subsection (a) of section 4 of the Government Em-
4 ployees Training Act, as amended (5 U.S.C. 2303 (a)),
5 is amended to read as follows:

6 “(a) (1) This Act shall not apply to—

7 “(A) the President or Vice President of the United
8 States,

9 “(B) any corporation under the supervision of the

1 Farm Credit Administration of which corporation any
2 member of the board of directors is elected or appointed
3 by private interests,

4 “(C) the Tennessee Valley Authority, and

5 “(D) any individual (except an officer of the
6 Coast and Geodetic Survey in the Department of Com-
7 merce) who is a member of the uniformed services as
8 defined in section 102 (a) of the Career Compensation
9 Act of 1949, as amended, during any period in which
10 he is receiving compensation under title II of such Act.

11 “(2) Except for the purposes of subsections (a), (b),
12 and (c) of section 19 of this Act, this Act shall not apply
13 to—

14 “(A) the Foreign Service of the United States
15 under the Department of State, and

16 “(B) any individual appointed by the President
17 by and with the advice and consent of the Senate
18 (other than a postmaster) or by the President alone,
19 unless such individual is specifically designated by the
20 President for training under this Act.”.

Passed the House of Representatives August 21, 1961.

Attest:

RALPH R. ROBERTS,

Clerk.

87TH CONGRESS
2D Session

H. R. 6374

[Report No. 1740]

AN ACT

To clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

August 22 (legislative day, August 21), 1961

Read twice and referred to the Committee on Post Office and Civil Service

July 17, 1962

Reported without amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued July 23, 1962
For actions of July 20, 1962
87th-2d, No. 124

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HIGHLIGHTS: House committee reported agriculture appropriation bill. House received conference report on second supplemental appropriation bill. Sen. Williams, Del., charged there was shortage of grain in Estes warehouses. Sen. Curtis criticized handling of Estes case. Sen. Keating charged USDA plays politics in drought relief assistance. Sen. Robertson urged elimination of 55 million national wheat acreage allotment. Senate agreed to conference report on foreign aid authorization bill. Senate passed Labor-HEW appropriation bill. Rep. Michel criticized REA. House received conference report on foreign aid authorization bill. Rep. Henderson introduced and discussed bill to compensate Flue-cured tobacco farmers for natural disaster losses.

SENATE

- FARM PROGRAM.** Sen. Williams, Del., charged that there was a shortage of over 68,000 bushels of grain stored in Estes warehouses and inserted several items relating to this matter. pp. 13310-15
Sen. Curtis charged that the Estes cotton allotment transfers "were clearly illegal and fraudulent," and inserted recent testimony by Walter J. Arnote regarding the transfers. pp. 13362-5
Sen. Keating criticized the announcement made by the Democratic candidate for Governor of N. Y. that this Department was making drought relief assistance available to farmers in N. Y., and charged that the Department had been evasive to his request for such assistance. pp. 13315-6
Sen. Robertson urged that the farm bill be amended to eliminate the 55 million national wheat acreage allotment and to give the Secretary discretionary authority to reduce wheat acreage. p. 13294
Received the farm bill, H. R. 12391, as passed by the House. Sen. Dirksen objected to the second reading of the bill. p. 13303

2. FOREIGN AID. By a vote of 56 to 27, agreed to the conference report on S. 2996, the foreign aid authorization bill. pp. 13280, 13293-300, 13302-5
3. LABOR-HEW APPROPRIATION BILL, 1963. Passed with amendments this bill, H. R. 10904. Conferees were appointed. pp. 13305, 13316-59

Rejected the following amendments:

By Sen. Proxmire, 24 to 59, to reduce the amounts in the bill by \$247,105,000, which he stated was the level requested by the Administration. pp. 13316-23

By Sen. Dirksen, 33 to 39, to provide that none of the funds shall be used to increase employment above the level of June 30, 1962. pp. 13346-8

By Sen. Cooper, 30 to 43, to provide that each appropriation in the bill, with certain exceptions, shall be reduced by 5 percent. pp. 13355-8

4. INSECTICIDES; PESTICIDES. Sen. Proxmire expressed concern over the "alarming situation involving the excessive use of powerful pesticides," and inserted an article discussing the situation. pp. 13280-1
5. FARM LABOR. Sen. Hayden criticized the proposed "210-day, 35 week limitation on employment of Mexican nationals on farms," and inserted several items discussing the proposed limitation. pp. 13359-61
6. SAMOA. Conferees were appointed on H. R. 10062, to extend the application of certain laws to American Samoa. House conferees have already been appointed. p. 13293
7. PERSONNEL. H. R. 6374, to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, was made the unfinished business. p. 13361
8. WATERSHEDS. The Public Works Committee approved the following watershed projects: Hurricane Creek, Ala.; Town Creek, Ala.; Marbury Creek, Ga.; Middle Fork Broad River, Ga.; Upper Blue River, Okla.; and Thicketty Creek, S. C. p. D615
9. NOMINATIONS. Confirmed the nomination of Anthony J. Celebrezze to be Secretary of HEW. p. 13277
The Banking and Currency Committee reported the nomination of H. Gardiner Ackley to be a member of the Council of Economic Advisers. p. 13277
10. FLOOD CONTROL. The Banking and Currency Committee reported with amendment S. 3066, to authorize a study of methods of helping to provide financial assistance to victims of flood disasters (S. Rept. 1747). p. 13278
11. ELECTRIFICATION. The Interior and Insular Affairs Committee reported with amendment S. 3153, to guarantee electric consumers in the Pacific Northeast first call on electric energy generated in Federal plants in that region and to guarantee electric consumers in other regions reciprocal priority (S. Rept. 1748). p. 13278
12. TAXATION. Sen. Byrd, Va., inserted an announcement of the Finance Committee of action taken by the Committee on H. R. 10650, the proposed Revenue Act of 1962. With respect to tax treatment of cooperatives and patrons the announcement contains the following statement: "The committee tentatively agreed to require that in order for a cooperative to receive a deduction for qualified script, at least 20 percent of the value of the patronage dividend (including qualified script) must be paid in cash. The staffs were instructed to review the consent

days * * * regardless of whether they do or do not work on those days."

ONE EMPLOYER OR MANY?

No angle of the 210-day controversy has created so much uncertainty as "multi-farm operations." Is an employer of braceros one employer even though he grow-packs in Salinas, Imperial, Yuma County, Maricopa County and Cochise, and maybe districts between?

The first word was yes. That threw consternation into the producers who purposely spread themselves as widely as possible, losing on one deal here but hoping to make it up on another deal there that hits a better market spot.

But later the Labor Department supplied the farm labor offices with amended directions that are still not too clear. It says that operations under the same ownership in different "labor markets" are different farms and therefore each one is entitled to use braceros 210 days. In general, one country seems to be a labor market. A Phoenix grower who has another unit at Aguila is one employer. But if he has farms in two counties, more than 50 miles apart, he is two employers.

This gives quite an advantage to the "spread-out" operator and handicaps the man who confines himself to one locality. Nobody defends it as equitable. Both Agricultural Commodities, at Phoenix, and Yuma Producers Co-op Association, are protesting. For that matter, they are protesting the whole 210-day rule and the minimum wage scheduled for braceros, as usurpations of power that Congress never granted to the U.S. Labor Department.

Mr. KUCHEL. Madam President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from California.

Mr. KUCHEL. The distinguished dean of the Senate speaks precisely the feelings of the people of California and this Senator from that State. The Senator from Arizona has performed a service in indicating directly what, in our view, the intention of the Congress was in extending the Mexican farm labor program. I am glad that some of our colleagues here who were interested in offering an amendment to the appropriate sections of the labor appropriations bill have been dissuaded from so doing. The simple fact of the matter is that we use fewer braceros today than we used to do. I underline the importance of the comment which our able dean of the Senate made. We want American labor to be employed upon American farms, but when American labor is unavailable, then the provisions of the law come into force to help the farm economy of the country. How else would crops be harvested?

Through the letter which the chairman of the Senate Committee on Agriculture and Forestry wrote to the able Secretary of Labor, which the Senator has placed in the RECORD, we find once again another distinguished U.S. Senator indicating specifically the intention by which we passed the bill last year. I congratulate the Senator from Arizona for the service which he has performed. I urge my friend, the Secretary of Labor, to give the most careful consideration to our views and our reasons for those views.

Mr. HAYDEN. I thank the distinguished Senator from California.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. DIRKSEN. Madam President, unless there is further comment, I should like to ask the majority leader about the order for tomorrow, if any, and what measure will be laid before the Senate on Monday.

Mr. MANSFIELD. Madam President, in response to the question raised by the distinguished Senator from Illinois, I ask unanimous consent that when the Senate adjourns tonight, it adjourn to meet at 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

PAYMENT OF EXPENSES OF ATTENDANCE OF GOVERNMENT EMPLOYEES AT CERTAIN MEETINGS

Mr. MANSFIELD. Madam President, I move that the Senate proceed to the consideration of Calendar No. 1697, H.R. 6374.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6374) to clarify the application of Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

STRIKES IN DEFENSE INDUSTRIES

Mr. STENNIS. Madam President, on Wednesday and Thursday of this week I called to the attention of the Senate the grave and imminent peril to the national security arising from existing and threatened strikes and work stoppages at key defense plants and industries throughout the Nation.

Even as I warned on Wednesday of the grave consequences that would stem from the shutdowns in the aircraft and missiles industry scheduled for next Monday, July 23, some 8,700 production workers at General Dynamics' Electric Boat Division at Groton, Conn., were preparing to strike. At 12:01 a.m., Thursday, they did so, bringing to a halt work on seven Polaris submarines, one of the prime weapons in our strategic deterrent arsenal.

Mr. Simken, Director of the Federal Mediation and Conciliation Service, has announced that North American, General Dynamics, and Lockheed are deadlocked. There is no likelihood of a settlement or an extension of the contracts. Picketing is expected when the strike commences on Monday.

Even as the 8,700 workers went out on strike the country had hovering over it an even greater threat to our national security. Because of a still unresolved labor dispute approximately 125,000 workers in our vital aircraft and missiles industries are scheduled to stop work next Monday. I am convinced that, at

this critical time, we simply cannot afford such a disastrous blow to our national defense effort.

It is unnecessary for me to enumerate again the essential weapons which will be involved in the work stoppages. They include the most powerful and devastating weapons in our armament of warfare. I need mention only that these strikes would halt production of all of our strategic ballistic missiles—Atlas, Titan, Minuteman, and Polaris. These are the weapons that make Khrushchev shudder when he contemplates an attack on the United States and the rest of the free world. The essentiality of having the greatest number of these missiles operational at the earliest possible time has been repeatedly emphasized by the high-ranking military officers appearing before the Preparedness Investigating Subcommittee of which I am chairman.

All of us in this Chamber, I am sure, hope and pray that all concerned—unions, workers, management, and Government officials, including the President—will exert every effort to achieve a speedy resolution of this grave crisis. We simply cannot afford delay. It is difficult for me to believe that those who have the responsibility for these strikes are entirely insensitive to the chaos and the danger they are helping to foment and create.

Perhaps the Congress will be called upon for legislative action in the near future to avert a continuation of these strikes and prevent the calamitous results that must ensue. At best, however, the passage of a law is a time consuming process. In the meantime, awaiting the decisions of labor and management, awaiting the possible invocation of existing legislation to end one strike and avert others, it behooves the Congress to express its apprehension and concern over the deplorable events of the past few days.

For this purpose I am introducing at this time a concurrent resolution which calls upon all parties concerned to act immediately in the national interest to end and curtail the existing and threatened strikes. If this fails the proposed resolution calls upon administration officials to invoke the resources of existing legislation to terminate the strikes, and to call upon us in Congress for additional legislation if the laws on the books are not adequate to insure uninterrupted production in these essential industries. I hope that this resolution will be speedily adopted.

Madam President, I feel very strongly that under the particular facts of this case there should be a strong, affirmative, official legislative expression of some kind upon this grave subject. We in Congress impose the taxes to bring into the Treasury the necessary money to build the vast system that we think is essential for our protection and that of the free world. We appropriate the money, once it is in the Treasury, to build, create, and maintain a vast and powerful striking power. We make the decision as to its need, and we realize the peril involved. We know how the

vital safety of our Nation can and will be imperiled unless the great instruments which we pray we never will have to use are brought on to completion and are actually in operation. These items must be placed where they can be operative as necessary.

The senior Senator from Connecticut [Mr. BUSH] has authorized me to place his name on the resolution. It is in his State that we have now the strike involving 8700 people. The junior Senator from Connecticut [Mr. DODD], with whom I talked about this subject earlier today, is deeply concerned. He did not authorize me to place his name on the resolution. The point was not discussed with him. I thought he would be here, but he was compelled to leave earlier.

He is deeply concerned, and I am sure he shares the sentiments that I am expressing here.

The vital part of the resolution is as follows:

Resolved by the Senate (the House of Representatives concurring) That the Congress of the United States hereby declares that continued and uninterrupted work and production in vital and essential defense industries is essential and vital to the welfare of the country and that strikes and work stoppages in such industries cannot be tolerated or permitted.

SEC. 2. All parties concerned, including labor, management, and Government, should take heed of the threat to the security and survival of this country which is posed by the existing and threatened strikes and should, in the interest of security and welfare of the Nation, act immediately to end the strike now in progress at the General Dynamics' plant at Groton, Conn., and to avert and prevent any strike or work stoppages at other essential defense industries.

SEC. 3. The President and the Secretary of Labor are requested, if voluntary agreement is not forthcoming without delay, to move vigorously and promptly, under existing statutes, to initiate and take such action as may be necessary to reopen the shipbuilding plant at Groton, Conn., and forestall even the loss of 1 day's work in the missile and aircraft industry and to call upon the Congress, if necessary, to enact such additional legislation as may be necessary to safeguard the country's welfare in this vital area.

The Senator from Arkansas [Mr. McCLELLAN] has introduced a bill for supplemental legislation in this highly important and very difficult field. He addressed the Senate on it yesterday, particularly with reference to its immediate consideration by the committee. It is something in which I will join him. Assuming such legislation is going to be passed, nevertheless I think that the demand of the occasion is that the legislative branch of the government express itself on this vital and essential matter.

Madam President, to that end this resolution is submitted. I ask that I may submit it out of order. I ask that the text of the resolution be printed in the RECORD at this point.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con Res. 85) expressing the sense of Congress concerning strikes affecting essential defense industries, was referred to the Committee on Labor and Public Welfare, as follows:

Whereas this country is engaged in a struggle for national survival which requires the maximum, undivided and complete support of all citizens to build the national strength and Defense Establishment, and to resist the forces that would destroy our system of government; and

Whereas our national survival can be assured and guaranteed only if all segments of our society, including labor and management, make the maximum contribution to the common effort without diminution thereof by strikes, work stoppages, or other actions which interrupt or slow production in our vital defense industries; and

Whereas a strike is now in progress at the Electric Boat Division of General Dynamics Corporation, at Groton, Conn., which has idled approximately 8,700 workers and has resulted in the suspension of construction on 11 nuclear submarines, 7 of which are Polaris submarines; and

Whereas a strike has been scheduled for July 23, 1962, which will result in the shutting down of the bulk of the Nation's missile and aircraft industry and will interrupt and suspend the production of intercontinental ballistic missiles, aircraft, and other vital and essential weapons and defense programs; and

Whereas the existing and threatened strikes pose a grave threat to our country's strategic defense capabilities and to our national security and this threat and peril will increase with each day that work and production is suspended or curtailed; and

Whereas the President of the United States, in Executive Order 10946, has declared that the uninterrupted and economical operation of missiles and space programs is imperative; and

Whereas the Government has not yet taken action under existing statutes to prevent or avert the threatened strikes or to insure the resumption of work at the struck plant of General Dynamics Corporation, at Groton, Connecticut; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring) That the Congress of the United States hereby declares that continued and uninterrupted work and production in vital and essential defense industries is essential and vital to the welfare of the country and that strikes and work stoppages in such industries cannot be tolerated or permitted.

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Mr. STENNIS. I urge that the Senate consider the resolution at the earliest possible time. I pledge a continued interest in the subject, and to bring this important matter to the special attention of the Senate as the facts may develop. I wish to point out again, as I did yesterday, that Secretary Goldberg has been very prompt in acting on the

emergency, and I know that he is giving his utmost attention to it, as is the President.

I think, too, that we have existing law that will go to the vitals of the question of 80 days' time, but 80 days is not enough. We will have to have additional legislation developed on the books, any way, even if we do not have these strikes.

If we are not able to deal with a situation like this and avoid strikes in these vital areas where essential weapons that are needed, not in the future, but now, are being made, we will totally fail to meet our obligation to the people of the United States and, in fact, of the entire free world.

Madam President, I urge special attention to this difficult matter, and I trust that the Senate will act on it favorably.

I ask unanimous consent that the resolution be allowed to lie on the table for 5 days so that other Senators who may wish to join as cosponsors may do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

CAPTIVE NATIONS WEEK

Mr. CURTIS. Madam President, it is proper that we observe Captive Nations Week in the month during which we observe the anniversary of our national independence.

Our observance helps to keep the light of liberty kindled—it helps to regenerate man's unquenchable desire to live in freedom, in dignity, in pursuit of his spiritual needs.

It is noteworthy that there are no walls west of the Iron Curtain to prevent migration to the East. The wall of Berlin exists today to keep people in subjugation. They have no freedom of choice. Escape to freedom is halted by the rattle of machineguns, and yet many make the greatest sacrifice to escape their bondage.

Civilization has been turned back a thousand years by the Russian imperialists. Their cruel oppression, their blandishments to free nations fool only those who want to be beguiled. There is no ground on which to compromise with cruel, Godless oppression.

The might of the free world is the instrument to halt aggression. We must never compromise our strength. We must never rely on others to preserve the integrity of free people. The leadership assumed by this Nation was not accepted lightly. Nor is it a force to be dealt away casually, in a spirit of compromise with folly.

We regret this terrible imposition of oppression. We regret that its yoke cannot be lifted today. History records many periods of oppression. They were ended by freedom's greater force. They will be again.

BILLIE SOL ESTES SCANDALS

Mr. CURTIS. Madam President, apologists for the Department of Agriculture would have the Congress and the public believe that the fraudulent transfer of cotton allotments to Billie Sol

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued July 24, 1962
For actions of July 23, 1962
87th-2d, No. 125

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HIGHLIGHTS: Farm bill referred to Senate Agriculture Committee to be reported by July 30. Sens. Aiken and Proxmire discussed merits of new farm bill. Both Houses agreed to conference report on supplemental appropriation bill. Senate received Baker nomination to be Assistant Secretary. Sen. Robertson submitted amendment to eliminate minimum 55 million acre national wheat acreage allotment. Sen. Miller criticized industrial uses research program of this Department. Rep. Spence introduced International Wheat Agreement bill. Rep. Johnson, Wis., introduced bill to increase limitation on FHA insured loans.

SENATE

1. FARM PROGRAM. Agreed to a motion by Sen. Ellender to refer H. R. 12391, the new farm bill, to the Agriculture and Forestry Committee with instructions to report the bill to the Senate not later than Monday, July 30. pp. 13543-5
Sen. Aiken commended the action to refer the bill to committee and reviewed the "operation of the farm program under the present administration and the changing situation as it relates to certain commodities." pp. 13551-4
Sen. Proxmire commended referral of the bill to committee and urged that the bill be amended in several respects. pp. 13556-7
2. NOMINATIONS. Received the nomination of John A. Baker to be an Assistant Secretary of Agriculture. p. 13570
Confirmed the nomination of H. Gardner Ackley to be a member of the Council of Economic Advisers. p. 13526

3. WHEAT. Sen. Robertson submitted an amendment intended to be proposed to H. R. 12391, the new farm bill, to "eliminate from the permanent law the requirement for 55 million acres of wheat." p. 13528

Received from this Department a proposed bill to extend the International Wheat Agreement of 1949; to Agriculture and Forestry Committee. p. 13526

4. RESEARCH. Sen. Miller criticized this Department's research program on new industrial uses for agricultural commodities, urged that the Department "make clear just what its policies and program with respect to this subject have been and are," and inserted an article, "USDA Dragging Feet on Products Research." p. 13539

5. PERSONNEL. Passed without amendment H. R. 6374, to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings. This bill will now be sent to the President. p. 13554

Passed without amendment S. 919, to amend the Hatch Political Activities Act so as to eliminate the requirement that the Civil Service Commission impose no penalty less than 90 days' suspension for violation of certain restrictions on participation in election activities. pp. 13554-5

6. ROADS. Passed with amendment S. J. Res. 137, to authorize the Secretary of Commerce, in cooperation with Alaska, to undertake studies and surveys relative to a highway construction program for Alaska. pp. 13560-1

7. FORESTRY. The names of Sens. Church and Morse were added as cosponsors of S. 3517, to authorize the Secretary of Commerce to establish and carry out a program to promote the flow of domestically produced lumber in commerce. p. 13528

8. PUBLIC LANDS. Received from Interior a letter transmitting "a program for the public lands and resources." to Interior and Insular Affairs Com. p. 13526

9. EMPLOYMENT; MILITARY SERVICE. Received from Labor a proposed bill "to amend and clarify the reemployment provisions of the Universal Military Training and Service Act"; to Armed Services Committee. p. 13526

HOUSE

10. SUPPLEMENTAL APPROPRIATIONS. Both houses agreed to the conference report on H. R. 11038, the second supplemental appropriation bill, 1962. This bill will now be sent to the President (pp. 13439-41, 13545-8). Both houses also agreed to H. Con. Res. 505, reducing certain items in the bill, including deletion of \$425,000 for AMS for poultry inspection, and reducing the appropriations for the Forest Service from \$37 million to \$34,500,000 (pp. 13436-9, 135-48-50). Attached to this Digest is a table showing action on items in this Department.
11. BUILDINGS. The Public Works Committee reported without amendment H. R. 12398, to authorize the Administrator of General Services, in connection with the construction and maintenance of a Federal office building, to use the public space under and over 10th Street S.W. in D.C. (H. Rept. 2026). p. 13523
12. RECLAMATION. Received from Interior a letter relative to an application for a loan of \$4,620,000 to the Roosevelt Irrigation District in Maricopa County, Ariz.; to Interior and Insular Affairs Committee. p. 13523
13. FLOOD CONTROL. Pursuant to the Watershed Protection and Flood Prevention Act, as amended, the Public Works Committee approved the following work plans:

last year, which indicates that we are now down.

Another point which I believe is very interesting is that the milk going to market this year contains a slightly lower percentage of butterfat, which indicates that the farmers are undertaking to produce milk of slightly lower butterfat content than they have been producing up to this time.

Mr. PROXMIRE. Of course, in much of our area, unfortunately, the price is down the full 29 cents. Since the price was already low, the proportionate drop was drastic, the present situation is particularly damaging to Wisconsin farmers.

Mr. AIKEN. The average for the country during June was 17 cents below last year. I doubt that the average for the year will be less than that, because I think in the fluid milk area in which the market for fluid milk exists we will see prices coming up to where they were last year. They probably should remain up there for the rest of this year.

But in the manufacturing areas we have a different proposition. I think we must devise some different marketing system for milk before we recover.

The Senator from Wisconsin knows that a live hog is worth around 18 cents a pound. He also knows that the lard from that hog will sell for about 9 cents a pound. But in order to produce enough pork chops and ham, the farmer must produce an excess of lard. We are not as badly off as we used to be when farmers raised fat hogs. But we still produce an excess of lard, and the loss on the lard must be made up by a charge on pork chops.

In order to produce enough milk to supply the country what it needs to drink, we must produce a surplus of powdered skim milk. During the last year we produced a surplus of butter, too. I do not think we can continually expect the consumers of our country to pay 70 cents a pound for butter at retail. We cannot expect them to pay the full statistical price for powdered skim milk. It may be that we will have to add a half a cent a quart to the price of fluid milk and let butter find a more reasonable price on the market. That would compound the problem for the Senator from Wisconsin, I expect.

Mr. PROXMIRE. It would.

Mr. AIKEN. I do not know an easy way out of that problem.

Mr. PROXMIRE. I am sure the Senator from Vermont, who is a true expert in the field of agriculture, understands our great difficulty is that, with a nationally high fluid-milk price and a relatively high national blend price, there is an incentive for the farmers who are fortunate enough to be located near a big fluid market to continue to produce quite heavily, and even though we feel that our Wisconsin farmers are extraordinarily efficient and able to get along with the low price, the competition is devastating for Wisconsin farmers. I feel it is an unfair kind of competition. Our farmers are able to produce low-cost products and do a fine job. But they are unfairly disadvantaged because the blend price is so much higher now. The differential is worse now than it was a year or 2 years ago.

Mr. AIKEN. The dairy farmers of Wisconsin who produce for the fluid milk market might be able to make a recovery and get along very well. But as that happens, the problem for the farmers producing for the manufacturing plants alone is likely to be compounded.

Mr. PROXMIRE. There is a surplus in the Federal orders that causes the problem.

Mr. AIKEN. Yes. But that surplus is dropping. That is one of the encouraging signs. It is something that has happened since we considered the farm legislation last winter. Now nature is helping. Last year we had perhaps the best season for growing hay and pasture that we have ever known. This year we have one of the worst all through the eastern part of the country, including New Jersey, Pennsylvania, New York and New England. That situation is materially affecting conditions. Even though the price rise is higher from now until the end of the year in the New England-New York-Pennsylvania area, I doubt whether the income to the dairyman will be as much because of the decreased production.

Mr. PROXMIRE. What that emphasizes is the fact that over the years the cost of the dairy support program has been really very modest as compared with the cost of the cotton program or the wheat program.

Mr. AIKEN. Yes.

Mr. PROXMIRE. In fact, our statistics would show that if cost is related to the value of the marketings, the cost of dairy products is about half the cost of wheat during the 1953-61 period, and in the 1959-61 period it was half the cost of wheat and far less than half the cost of cotton.

Mr. AIKEN. The Senator is correct. Furthermore, dairy products are by far the most important of all agricultural products produced in the United States—just under \$5 billion worth. Dairying gives employment to more people on and off the farm than any other commodity or any two other commodities combined.

Mr. PROXMIRE. Yet in the Senate bill as it was passed, no provision was made for the very difficult situation that confronts dairy farmers, except a provision which would aggravate that problem, because it would increase the cost of feed and limit the amount of feed Wisconsin farmers could grow on their farms.

Mr. AIKEN. Yes; and the problem is compounded by the fact that a dairyman must have a large capital investment today in comparison with what he had to have 20 or 25 years ago. Also, a dairyman is required to meet public health requirements which did not enter into the picture 20 or 25 years ago. A change has been forced in the dairy situation. I see in the Chamber the Senator from Connecticut. I happen to know that some of his dairymen have complained that they are being taxed out of dairying because of the great industrial expansion in the State of Connecticut. Their land has become so valuable that they cannot afford to keep cows on it. It is as simple as that.

That has been good for us in Vermont, because the source of supply has been moving steadily northward. Not so long ago Rhode Island produced all the milk it needed, and Connecticut produced all the milk it needed. The situation is changing. Industrialization has taken over. Area competition for dairy products and other farm products has changed also.

Mr. PROXMIRE. Will the Senator yield for me to put in the Record at this point a chart bearing on cost of various commodity programs and support prices? I can do so later if the Senator prefers me to do it that way.

Mr. AIKEN. If the Senator will put the chart in at the end of my remarks, I would appreciate it. I have almost completed my statement.

The cost of dairy rations is approximately \$20 less in the Senator's area than it is in the Northeast. So Wisconsin gets an advantage there.

I believe it has been said by department officials that the cost of the dairy program last year was \$400 million or so. These figures, as the Senator knows, were padded. They included \$100 million for the school milk program, and \$35 million for milk for the armed services; as well as the cost of dairy products which have been contributed to foreign relief and to the foreign aid program. So the price support program did not cost the taxpayers \$400 million.

On the whole, it seems to me we have had about enough experience with the type of recommended program which the administration is trying to persuade us to accept.

I have one further item, and that deals with feed grain. I will not say much about it, because Senators, from feed-grain-producing States, can explain the effect of this program better than I can.

So far as corn is concerned, the support for corn for the 1960 crop was \$1.06 a bushel. The takeover and resale of the 1960 crop amounted to 521.9 million bushels. The Secretary, in 1961, raised the support price for corn to \$1.20 cents a bushel. The takeover from the 1961 crop is now estimated at 592 million bushels, or 70 million bushels more than the Government had to buy the year before when the support price was only \$1.06.

The Commodity Credit Corporation investment in the 1960 crop was \$552.2 million. The Commodity Credit Corporation investment in the 1961 crop will be \$710.4 million, or roughly \$150 million more than it was under the earlier program which the administration undertook to discard. By this fall it would appear that in the United States we shall probably have approximately a 3-month supply of feed grains carried over to the next marketing year.

In my opinion, a carryover equal to 3 months' supply of feed grain is no more excessive than it is to have a 6 months' supply of wheat carried over to the next year.

There is one thing more about the corn program that I should like to say. Senators can follow this if they can, or explain it if they can. In March of 1960 farmers' intention to plant was 85.7 mil-

lion acres of corn, according to the Department of Agriculture. They actually planted 81.7 million acres, or a reduction of 1 million acres from the year before.

In March 1961 the farmers' intention to plant came to 82.4 million acres of corn, a 3.3-million reduction from the year before, as reported by the Department of Agriculture. A few days later the special 1961 feed-grain program was approved by the President. Under that law, farmers planted 67 million acres of corn for all purposes, and were paid for not planting 19.1 million acres. This accounts for 86.1 million acres of corn production, either actual or potential.

Under the 1962 feed-grain program—and I find these figures very interesting—the Department reports 65.9 million acres planted, and it is paying for 22.9 million acres not planted, to corn. So the tab has gone up, because this year we are accounting for 88.8 million acres of corn, as compared with 86.1 million acres of corn last year.

It seems to me that is about the most ridiculous statistic that I have read for a long time. While trying to reduce the planting of corn, we are actually supporting the price and paying for not planting on 2,700,000 acres more of corn than was the case in 1961.

Mr. President, I thought it important to put these figures in the Record before the Senate proceeds to consider the farm legislation next week.

While we are complaining about our farm programs in the United States, it was very interesting to read an Associated Press report from Moscow under date of Sunday, July 1, 1962, in which Mr. Khrushchev recommends that the farmers of Russia copy the farmers of the United States. He said that farmers in America have learned, because of stiff competition, to keep track of costs and profits and use good management practices.

I conclude by saying that whatever we do, I hope we do not swap programs with Mr. Khrushchev. I am perfectly willing to let them learn our methods and adopt our methods, but for Heaven's sake let us keep what we have here.

It is not the price of fertilizer, or things like that, which has made American farmers the best in the world. It is the fact that they have been kept free to expand and to run their own business. So long as American agriculture is kept free and is run by the farmers of the country, it will be the envy of the whole world.

PAYMENT OF EXPENSES OF ATTENDANCE OF GOVERNMENT EMPLOYEES AT CERTAIN MEETINGS

The Senate resumed the consideration of the bill (H.R. 6374), to clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

Mr. SMATHERS. Mr. President, on behalf of the author of the bill, the distinguished junior Senator from Texas [Mr. YARBOROUGH], I should like to make an explanation of its purposes.

Section 19(b) of the Government Employees Training Act provided that any appropriation available to any department for expenses of travel should be available for expenses of attendance at meetings concerned with functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

Section 4 excludes Foreign Service employees, Tennessee Valley Authority employees, and Presidential appointees from the Government Employees Training Act. After the Government Employees Training Act was passed, the customary appropriation language providing travel authority for these three groups of employees to attend such meetings was deleted from existing laws. Therefore, at the present time, there is no clear legal basis for these groups of employees to attend such meetings at Government expense.

The bill, as approved in the House, continues the present exclusion of the Tennessee Valley Authority from all parts of the Training Act since it does not need and does not desire the authority embodied in subsections (a), (b), and (c) of section 19 which under the bill are made applicable to Foreign Service employees and Presidential appointees.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 6374) was ordered to a third reading, was read the third time, and passed.

AMENDMENT TO HATCH POLITICAL ACTIVITIES ACT

Mr. SMATHERS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1247, Senate bill 919.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 919) to amend section 9(b) of the act entitled "An act to prevent pernicious political activities" (the Hatch Political Activities Act) to eliminate the requirement that the Civil Service Commission impose no penalty less than 90 days' suspension for any violation of section 9 of the act.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida?

There being no objection, the Senate proceeded to consider the bill.

Mr. CANNON. Mr. President, section 9 of the Hatch Political Activities Act of August 2, 1939, as amended, prohibits, with certain exceptions, any officer or employee in the executive department of the Federal Government from active participation in election activities.

Any person who violates the provisions of section 9 is subject to immediate removal from office except that the U.S. Civil Service Commission, by unanimous vote, may impose a lesser penalty.

However, in no case may the penalty be less than 90 days' suspension without pay.

The minimum penalty has caused considerable hardship and injustice in many cases involving unintentional or minor infractions of the act.

The Civil Service Commission has supplied the Senate with lists of such minor cases wherein employees were suspended for 90 days without pay.

The cases appear in Report No. 1278 of the Committee on Rules and Administration to accompany the bill, S. 919.

The bill would amend the Hatch Act by striking out in section 9(b) of the act the proviso that in no case shall the penalty be less than 90 days' suspension without pay.

Enactment of the bill would permit the Civil Service Commission, in cases involving minor technicalities and violations of the act and Civil Service Rule IV, to impose a penalty far less drastic than the existing minimum penalty.

The bill has the approval of the Civil Service Commission and the Department of Justice. The bill was also unanimously approved by the Subcommittee on Privileges and Elections and reported to the Senate with the unanimous approval of the Committee on Rules and Administration.

It does not affect the major principles and objectives of the Hatch Act and will not, if enacted, relieve any officers or employees from the prohibitions of the act, but it will prevent an unnecessary and excessive hardship caused by a heavy penalty for inadvertent and minor infractions.

I urge the favorable consideration of S. 919 by this body and its passage so that it may be enacted this year.

Mr. CLARK. Mr. President, will the Senator from Nevada yield?

Mr. CANNON. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. I commend the distinguished Senator from Nevada for reporting the bill from his committee to the Senate. I am happy to have been the principal sponsor of the bill. It was introduced as a result of having had called to my attention by a number of Government employees and also by the Civil Service Commission a great many real injustices and inequities involving far too severe penalties having been imposed for very minor violations of the Hatch Act.

I should like to make it clear that I am a strong supporter of the principal provisions of the Hatch Act. I think Government employees, by and large, particularly those in the civil service, should stay out of partisan politics. But in many instances minor violations have been punished in the past within penalties all out of proportion to the seriousness of the offense. Therefore, I am happy to support the Senator from Nevada in reporting the bill to the Senate. I again congratulate the Senator from Nevada for the action he has taken.

Mr. CANNON. I thank the distinguished Senator from Pennsylvania.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.



Public Law 87-566
87th Congress, H. R. 6374
August 2, 1962

An Act

76 Stat. 264.

To clarify the application of the Government Employees Training Act with respect to payment of expenses of attendance of Government employees at certain meetings, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 4 of the Government Employees Training Act, as amended (5 U.S.C. 2303(a)), is amended to read as follows:

“(a) (1) This Act shall not apply to—

Government employees.
Expenses for certain meetings.
72 Stat. 329.

“(A) the President or Vice President of the United States,

“(B) any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests,

“(C) the Tennessee Valley Authority, and

“(D) any individual (except an officer of the Coast and Geodetic Survey in the Department of Commerce) who is a member of the uniformed services as defined in section 102(a) of the Career Compensation Act of 1949, as amended, during any period in which he is receiving compensation under title II of such Act.

63 Stat. 804.
37 USC 231, 232.

“(2) Except for the purposes of subsections (a), (b), and (c) of section 19 of this Act, this Act shall not apply to—

72 Stat. 336.
5 USC 2318.

“(A) the Foreign Service of the United States under the Department of State, and

“(B) any individual appointed by the President by and with the advice and consent of the Senate (other than a postmaster) or by the President alone, unless such individual is specifically designated by the President for training under this Act.”.

Approved August 2, 1962.

